The Gazette of India

PUBLISHED BY AUTHORITY

No. 47] NEW DELHI, SATURDAY, NOVEMBER 24, 1956

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 17th November 1956

Issue No.	No. and date	Issued by	Subject
342	S.R.O. 2647, dated the 13th November, 1956.	Ministry of Finance (Department of Revenues).	Amendment made in the notification No. 33-Customs, dated the 22nd June, 1935.
343	S.R.O. 2648, dated the 12th November, 1956.	Election Commission, India.	List of Symbols to be used for elections to Parliamentary, Assembly and Electoral College Constituencies.
	S.R.O. 2649, dated the 12th Nov mber, 1956.	Ditto.	Direction to candidates to choose symbols at the time of elections.
344	S.R.O. 2650, dated the 14th November, 1956.	Ministry of Finance.	Draft Rules of the Securities Contracts (Regulation) Rules, 1956.
345	S.R.O. 2651, dated the 14th November, 1956.	Central Board of Revenue.	Amendment made in the Passengers Baggage (Exemption from Customs Duty) Rules, 1956.
346	S.R.O. 2712, dated the 14th November, 1956.	Ministry of Home Affairs.	Rule made by the Central Government for the allowance to the Ministry of Community Development.
347	S.R.O. 2713, dated the 15th November, 1956.	Ministry of Law.	The Bihar and West Bengal (Transfer of Territories) Delimitation of Constituencies Rules, 1956.
348	S.R.O. 2714, dated the 14th November, 1956.	Election Commission, India.	Appointment of an assistant to the Returning Officer for election to the Council of States to be held in pursuance of the notification No. 472/8/56 (1) dated 9th November, 1956.

Issue No.	No. and date	Issued by	Subject
	S.R.O 2715, dated the 14th November, 1956	Election Commission, India.	Fixation of the hours during which the poll shall be taken for election to the Council of States to be held in pursuance of the notification No. 472/8/56 (1), dated 9th November, 1956.
	S.R.O. 2716, dated the 14th November, 1956.	Ditto.	Appointment of an assistant to the Returning Officer for election to the Council of States to be held in pursuance of the notification No. 472/9/56 (1), dated 9th November, 1956.
	S.R.O. 2717, dated the 14th November, 1956.	Ditto.	Fixation of the hours during which the poll shall be taken for election to the Council of States to be held in pursuance of the notification No. 472/9/56 (1), dated the 9th November, 1956.
	S.R.O. 2718, dated the 14th November, 1956.	Ditto.	Fixation of the hours during which the poll shall be taken for election to the Council of States to be held in pursuance of the notification No. 472/10/56 (1), dated the 9th November, 1956.
349	S.R.O. 2719, dated the 16th November, 1956.	Ministry of Law.	Amendments made in the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chelf Commissioners).

ELECTION COMMISSION, INDIA

New Delhi-2, the 12th November 1956

S.R.O. 2732.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Assam, hereby nominates Shri R. R. Khaund, B.L., Additional Secretary to the Government of Assam, Legislative Department, as the Chief Electoral Officer, for that State with effect from the 1st November, 1956.

[No. 154/2/56.]

S.R.O. 2733.—In exercise of the powers conferred by sub-section (1) of Section 13(A) of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Orissa, hereby nominates Shri Uday Nath Rath B A., B.L., *Ex-officio* Deputy Secretary to the Government of Orissa, Home (Elections) Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956.

[No. 154/9/56.]

S.R.O. 2734.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, as adapted by the Adaptation of Laws (No. 2) Order, 1956, the Election Commission, in consultation with the Chief Commissioner of Tripura, hereby nominates Shri R. N. Shinghal, M.A., LL.B., Legal Remembrancer-*cum*-Judicial Secretary, Tripura, as the Chief Electoral Officer for the Union Territory of Tripura with effect from the 1st November, 1956

[No. 154/18/56.]

By order,

A. KRISHNASWAMY AIYANGAR, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 19th November 1956

S.R.O. 2735.—In pursuance of rule 11 of the Indian Police Service (Pay) Rules, 954, the Central Government hereby makes the following amendment in Schedule II-C to the said Rules, namely:—

In the said Schedule, for entries in the second, third and fourth columns against "Intelligence Bureau" in the first Column, the following entries shall be substituted namely:—

"Director	2,500	..	
Deputy Directors	1,450—50—1,650	200	
Joint Deputy Directors	1,450—50—1,650	100	
Assistant Directors	Senior Scale	300	
Central Intelligence Officers	Senior Scale	200"	

[No. 13/23/56-AIS(III).]

CORRIGENDUM

New Delhi-2, the 16th November, 1956

S.R.O. 2736.—In the Ministry of Home Affairs Notification No. 13/26/56-AIS (III) dated the 31st October, 1956, relating to Bihar, for the entry "Law Reforms Commissioner" in sub-para 2 of para 1 thereof read "Land Reforms Commissioner".

[No. 13/26/56-AIS(III).]

P. PRABHAKAR RAO, Dy. Secy.

CORRIGENDUM

New Delhi-2, the 14th November 1956

S.R.O. 2737.—In the Schedule annexed to the Notification of the Government of India in the Ministry of Home Affairs No. 10/3/56-IC, dated the 8th November, 1956, for the entry "Assistant Collector and Magistrate, Alwar" in column 1 *read* "Sub-Divisional Magistrate, Tijara".

[No. 10/3/56-IC.]

FATEH SINGH, Dy. Secy.

MINISTRY OF FINANCE

New Delhi, the 15th November 1956

S.R.O. 2738.—In exercise of the powers conferred by the proviso to article 309 and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148, of the Constitution, the President, after consultation with the Comptroller and Auditor General as regards the persons

referred to above, hereby directs that the following further amendments shall be made in the Revised Leave Rules, 1933, namely:—

In the said Rules—

(1) rule 8 shall be omitted;

(2) in sub-rule (2) of rule 9, after the words "provisions of" the words and figures "rules 4 and 7, and" shall be inserted.

[No. F.7(100)-Est.IV/56.]

K. S. GANAPATI, Dy. Secy.

New Delhi the 16th November 1956

S.R.O. 2739.—In exercise of the powers conferred by the proviso to article 309 and in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148 of the Constitution and of all other powers hereunto enabling, the President after consultation with the Comptroller and Auditor General as regards the persons referred to above, hereby makes the following amendments in the Fundamental Rules, namely:—

In rules 45A and 45B of the said Rules, in clause IV(b),—

(1) in item (i), the word "and" at the end shall be omitted;

(2) in item (ii), the word "and" shall be added at the end; and

(3) the following shall be inserted as item (iii), namely:—

"(iii) compensation for the charges payable by the Government in respect of the services provided for the residence".

[No. 8(13)/56.-W.]

K. SACHIDANANDUM, Dy. Secy.

(Department of Company Law Administration)

COMPANY LAW

New Delhi, the 14th November 1956

S.R.O. 2740.—In exercise of the powers conferred by Section 609 of the Companies Act 1956 (1) of 1956 and in supersession of notifications appointing Registrars for the States of Andhra and Hyderabad, the Central Government, appoints Shri S. Krishna Murthy as Registrar for the State of Andhra Pradesh with effect from 1st November, 1956.

[No. 3(58)-CLA/55.]

S.R.O. 2741.—In exercise of the powers conferred by Section 609 of the Companies Act 1956 (1) of 1956 and in supersession of notifications appointing Registrars for the States of Punjab, Pepsu and Himachal Pradesh the Central Government of India in the Finance Department (Revenue Division) No. 34-Income-tax, Registrar for Punjab and Himachal Pradesh.

[No. 3(58)-CLA/55.]

B. SHUKLA, Dy. Secy.

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)

INCOME-TAX

New Delhi, the 19th November 1956

S.R.O. 2742.—The Central Government is pleased to direct that the following amendment shall be made in the list appended to the Notification of the Government of India in the Finance Department (Revenue Division) No. 34-Income-tax, dated the 23rd November, 1946, namely:—

In the said list—

(i) under the sub-head 'Scientific and Industrial Research Associations' against item 16, for the words 'The Council of Economic and Industrial

Research' the words 'National Council of Applied Economic Research' shall be substituted.

[No. 86(F. No. 27(30)-I.T./56].

P. N. DAS GUPTA, Dy. Secy.

CUSTOMS

New Delhi, the 24th November 1956

S.R.O. 2743.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June 1935, namely:—

In the said notification, in Schedule I—Import Duties—under the head 'B-Government Departments' in the entries in column 2 against serial No. 29, for the existing entry numbered (2), the following entry shall be substituted, namely:—

"(2) (a) Such arms, ammunition and military stores as are dutiable under items 34, 80, 80(1), 80(2) and 81 of the First Schedule to the Indian Tariff Act, 1934 (32 of 1934).

(b) The following equipment and stores used by the Defence Services, namely:—

Tools and Gauges which are for use only with ammunition and explosives of service use; Ammunition Chemicals; Electric Detonators; Fire Directing and Fire Control Instruments, such as Rangefinders, Predictors, Plotters, Computors, Sights Dial; Signal equipment including wireless equipment and spares, used exclusively by the Defence Services; Test equipment for Radars for Service use; Military Bridging stores and equipment; ASDIC and ECHO Sounding equipment; Specialised cameras for Air-force use; and Minesweeping Gear".

[No. 103.]

M A. RANGASWAMY, Dy .Secy.

ORDERS

STAMPS

New Delhi, the 15th November 1956

S.R.O. 2744.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deed to be executed by the High Commission for Pakistan in India, in respect of Bungalow No. A-2, Nizamuddin West, New Delhi, is chargeable under the said Act.

[No. 24.]

[No. F.1/14/56-Stamps-Cus.VII.]

S.R.O. 2745.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deed, dated the 26th September, 1956, executed by Mr. Leon J. Deming, assigned to the Technical Co-operation Mission, India, as Training Programme Adviser, in respect of the ground floor flat of No. 107, Sunder Nagar, New Delhi, is chargeable under the said Act.

[No. 25.]

[No. F.1/10/56-Stamp.]

New Delhi, the 17th November 1956

S.R.O. 2746.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the whole of the stamp duty with which the lease

deed dated the 5th October, 1956, executed by the High Commission for the United Kingdom in India, in respect of the first floor premises at No. 14/39, Chanakyapuri, New Delhi, is chargeable under the said Act.

[No. 26.]

[No. F.1/13/56-Stamp-Cus.VII.]

M. PANCHAPPA, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 17th November 1956

S.R.O. 2747.—[50/88/56-IT].—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that with effect from 1st November 1956, the following further amendments shall be made in its notification No. S.R.O. 1884—No. 57-Income-tax, dated the 20th August 1956, namely:—

In the Schedule annexed to the said notification, for the Heads specified in column 1 of the table annexed hereto, the Heads specified in the corresponding entries in column 2 of the said table shall be substituted.

TABLE

	1	2
1.	"II-Bihar and orissa."	"II-Patna"
2.	"IV-Bombay North"	"IV-Ahmedabad".
3.	"VI-Delhi, Ajmer, Rajasthan & Madhyabharat".	"VI-Delhi".
4.	"VIII-Madhya Pradesh and Bhopal"	"VIII-Nagpur".
5.	"X-Mysore, Travancore-Cochin".	"X-Bangalore".
6.	"XI-Punjab, Himachal Pradesh, Bilaspur, Patiala and East Punjab States Union and Jammu and Kashmir State".	XI-Simla".
7.	"XII-Uttar Pradesh and Vindhya Pradesh"	"XII-Lucknow".

[No. 85.]

B. V. MUNDKUR, Under Secy.

CENTRAL EXCISES

New Delhi, the 24th November 1956

S.R.O. 2748.—In pursuance of rule 233 of the Central Excise Rules, 1944, the Central Board of Revenue hereby issues the following supplementary instructions which shall be observed for claiming refund of duty on tobacco contents of biris exported outside India.

1. The grant of refund of excise duty on tobacco contents of biris exported out of India will be subject to the following conditions.

2. *Who may export.*—The exporter must be the manufacturer.

3. *Who can claim refund.*—If the expoter himself has a licensed bonded warehouse and clears the tobacco for manufacture of biris for export, he can himself obtain the refund. If the manufacturer of biris for export obtains tobacco direct from another licensee's warehouse duly cleared under an application in Form A.R. 1, he shall obtain from the warehouse licensee, the relative A.R. 1 application under which the tobacco was originally cleared from the warehouse and produce it to the Range Officer of the Range in which the factory or principal place of business is situated for purposes of check. The licensee of the warehouse of clearance shall at the same time be required to obtain from his Range Officer a certificate in the following form for purposes of record before the relative A.R. 1 is handed over to the manufacturer.

"Certified that a consignment of ————packages of biris tobacco weighing in all————Lbs. net was cleared from the warehouse L. 5. No.————

Name of the licensee———— of————Range under A.R. 1 No. ————date————and consigned to L 2(T) No.————of———— Range under T.P. 1 No. ————date————for the manufacture of biris for export".

The exporter shall also at the same time produce a letter of authority from the warehouse licensee who originally paid the duty, authorising him to receive the refund of duty on tobacco contained in the biris.

4. *Manufacture of biris for export.*—The biris which are intended to be exported under claim of refund of duty on tobacco contents must be manufactured from tobacco brought into the factory from the bonded warehouse on A.R. 1. Separate A.R. 1 shall be filed for clearance of tobacco for this purpose, endorsed with the remark "for manufacture of biris for export". Tobacco after clearance shall be stored in separate premises or portion of premises demarcated from those used for storage of tobacco or manufacture of biris for internal consumption.

5. *Segregation of premises for export.*—In addition to storing separately all tobacco cleared from a warehouse for manufacturing biris meant for export, the manufacturer, if he also manufactures biris for internal consumption, must demarcate his premises to segregate all storehouses, rooms, sheds, etc., where biris intended for export and the tobacco meant for such manufacture are handled and otherwise retained. Packing, labelling and storage pending delivery of biris for export and such operations in respect of biris for the internal market must be carried out in separate portions of the principal factory. The operation of baking export biris must similarly be carried out in separate trays, distinctly marked to ensure segregation of such biris from biris intended for the internal market. The biris manufactured for the purpose of export should not ordinarily be diverted for internal consumption but if due to exceptional circumstances, it is necessary to divert for internal consumption a certain amount of biris manufactured for export, prior approval must be taken from the Assistant Collector and necessary particulars about such biris must be shown in the registers maintained by the licensees.

6. *Manufacture by contractors.*—Where the manufacture of biris for export is conducted through agents, contractors and outworkers, the manufacturer shall supply the names and addresses of all such agents, contractors and outworkers to the Circle Officer.

Tobacco for manufacture into biris for export must not be sent to any such agent or contractor at any time when he is in possession of tobacco for manufacture into biris for the internal market.

Transit notes under which tobacco is transferred to agents or contractors for manufacture into biris for export must be endorsed "for export biris". Similarly, the invoices or other documents under which the agent or contractor brings in the export biris to the manufacturer must be marked "manufactured for export".

If any agent or contractor is working for more than one manufacturer, he must keep separately all the tobacco obtained for manufacturing biris which are to be exported and separate accounts shall also be maintained of such biris.

7. *Prior declaration of brands and labels.*—The manufacturer must make a prior declaration to the Circle Officer of the labels under which biris for export are to be packed together with the manufacturing formula of the contents of biris relating to each separate label. The formula should show the quantity of tobacco used for the manufacture of one thousand biris. Cases, packages and cartons in which biris are packed for export must be legibly marked for export and must also bear a label showing the brand of biris contained in them. Each packet of biris must bear a label showing the name of the factory or the distinguishing mark which may take the form of a special design whereby the origin of the produce can be traced, the number of the manufacturer's licence in Form L. 2 and trade brand of the product. These particulars shall also be entered in column 14 of Form 'B' and column 4 of Form 'C' appended to these instructions.

A separate specimen of label shall be assigned to each item of manufacture represented by a different serial number in Form 'B'.

8. *Accounts.*—The manufacturer shall maintain an account of tobacco cleared for manufacture in biris for export and the biris made therefrom, in the appended forms A. B. & C. The Range Officer must, at least once in each month, check these accounts with (a) the relative application in Form A.R. 1, (b) the stocks of raw tobacco and (c) the stocks of biris, and endorse the results of each check on the relative account and on the application.

9. *Manufacturer's private accounts of biris made.*—The manufacturer's private accounts of tobacco used and biris manufactured, payments made, etc. shall be kept separately in respect of biris for export and for internal market. Such accounts, as also transit notes, invoices and other records relating to tobacco used and biris made for export, must be open to inspection and check by the Central Excise Officers who shall periodically, and in case of doubt, call for these records for checking with the accounts kept in Forms A, B and C.

10. *Declaration on export applications.*—In addition to the manufacturer's declaration of the manufacturing formula relating to the types of biris packed under each label given under paragraph 7 above, the exporter must make the following declarations in column 4 of the application in Form A.R. 4, separately for each size and variety of biris:—

(i) Label applied to packets [See paragraph (7) above.]

(ii) No. of packets X number of biris per pocket=Total number of biris.

(iii) Number of biris manufactured from lbs. of tobacco.

(iv) Total weight of tobacco content.

The Range Officer shall check these particulars with the relative entries in the account in Form C maintained by the manufacturer, which must be produced to the Officer

The manufacturer's declaration of the manufacturing formula shall be given in the following form in the remarks column of A.R. 4:—

Manufacturer's formula for 1,000 biris.

Weight of tobacco contained in 1,000 biris .....Tolas

Weight of tendu leaves in 1,000 biris .....Tolas

Weight of thread etc. used in 1,000 biris .....Tolas

Weight of ring labels, paper for packets, paper for making a carton, labels, twine, etc. for 1,000 biris .....Tolas

Weight of 1,000 biris in cartons. Tolas/40————————lbs.

Number of cartons in each case or package described in column 1 of the A.R. 4

Total number of biris in each package.

Weight of empty case or packing material of each case of package .....Lbs.

Total weight including that of each case of package mentioned in column 1 of A.R. 4 .....Lbs.

11. *Examination.*—The goods intended for export shall be produced with the application in Form A.R. 4 at the exporter's premises before the officer who shall examine externally the entire consignment of each size and variety to satisfy himself (with the help of the invoice or specification of contents) that the packages are uniform and appear to be according to the declaration in Form A.R. 4.

12. *Record of examination.*—The results of the checks carried out as required under paragraphs (9), and (10) above shall be endorsed on the application Form A.R. 4 as well as against the relative entry in Form 'C'.

13. *Grant of refund.*—Before the refund of duty on the tobacco contents of biris can be granted, the tobacco must be clearly identified as the tobacco on which duty has been paid under the documents, particulars of which are declared on the application in Form A.R. 4. In any case where such identity cannot be established satisfactorily the claim for refund is liable to be refused.

Refund on export shall not be payable on the tobacco contents of biris, whose market value at the time of export is less than the amount of refund claimed. The Range Officer shall ascertain the market value of the goods to be exported and give a certificate on the application form in A.R. 4 to the effect that the market value of the goods to be exported is not less than the amount of refund claimed.

Refund of excise duty on tobacco contained in biris is admissible even in cases of export by Air provided the procedure prescribed for export of goods by sea is followed. The receipt issued by the Air Company at the Customs Air Port for the acceptance of the consignment for export will be accepted in lieu of bill of lading or a copy of shipping bill, for establishing the continuous identity of the goods exported. The Air Company receipt should contain the export marks and Nos. noted in the A.R. 4.

FORM 'A'—RAW TOBACCO STOCK ACCOUNT

S. No.	Date	No. and date of A.R. 1.	Receipt into stock.			Issue for manufacture for		Balance in stock		Remarks
			No. of packages	Quantity (Lbs.)	Rate of duty paid	No. of packages	Quantity (Lbs.)	No. of packages	Quantity	
1	2	3	4	5	6	7	8	9	10	1

FORM 'B': ACCOUNT OF MANUFACTURE BIRIS FOR EXPORT

Serial No.	Date	Sl. No. of relative entry in Form A	Qty. recd. for manufacture (lbs.)	Manufactured Products—Biris							
				Size & description	No. of packages	Qty.	Tobacco contents (lbs.)		Name & address of agent or contractor by whom manufactured	No. and date of invoice under which received.
							Per 1000	Total		
1	2	3	4	5	6	7	8	9	10	11

Wastage (lbs.)	Balance (lbs.)	Distinguishing label affixed to products.	Remarks
12	13	14	15

FORM C : EXPORT—BIRI STOCK ACCOUNT

S. No.	Date	Received into stock						Issued for local sale		Issued for export				Balance		
		S.No. of relative entry in form B	Distinguishing label affixed to products	No. of packages	Quantity	Tobacco contents (lbs.) per 1,000	Tobacco contents (lbs.) Total	No. of packages	Quantity	No. of packages	Quantity	Total tobacco contents (lbs.)	No. and date of A.R. 4	No. of packages	Quantity	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

[No. CER-233(1)/56.]

B. D. DESHMUKH, Secy.

CUSTOMS

New Delhi, the 24th November 1956

S.R.O. 2749.—In exercise of the powers conferred by the proviso to section 182 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue, hereby confers on the Auditor of the Cochin Custom House, who is also in charge of the Manifest Clearance Department of the said Custom House, the powers indicated in clause (a) of the said section in so far as they relate to adjudications in respect of offence No. 17 mentioned in the first column of the Schedule to section 167 of the said Act.

[No. 102.]

[No. F.22/3/56-Cus.IV.]

S.R.O. 2750.—In exercise of the powers conferred by clauses (b) and (c) of section 11 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby makes the following further amendments in its Notification No. 176-2/Cus. 25, dated the 11th March 1952, namely:—

In the said notification

(1) in paragraph 1(b) for the words "Bengal Nagpur Railway", the words "South Eastern Railway" shall be substituted;

(2) paragraph 4 shall be omitted and paragraph 5 renumbered as paragraph 4;

(3) the following shall be inserted as paragraph 5, namely:—

"5. for landing and shipping of passenger's baggage only, the P.Cs. pontoon known as Outram Ghat."

[No. 104.]

[No. F.69(251)-Cus.I-IV/50.]

S.R.O. 2751.—In exercise of the powers conferred by clauses (b) and (c) of section 11 and section 53 of the Sea Customs Act, 1878 (8 of 1878), and in supersession of the notification of the Government of Madras in the Marine Department G.O. No. 27, dated the 21st January 1916, the Central Board of Revenue hereby declares that the limits of the Port of Madras shall be as stated in column 2 of the Schedule hereto annexed.

The Central Board of Revenue hereby further declares that within the port limits mentioned in the said Schedule:—

(i) the places mentioned in column 3 thereof shall be deemed to be wharves for the shipment and landing of goods, and

(ii) the places mentioned in column 4 thereof shall be points beyond which no vessel arriving shall pass until a manifest has been delivered to the pilot, officer of Customs, or other person duly authorised to receive the same.

Name of port	Limits under Section 11 (b) of the Sea Customs Act, 1878	Wharves prescribed under Section 11 (c) of the Sea Customs Act 1878					Places appointed for the delivery of Manifests under section 53 of the Sea Customs Act
		No. of wharf	Name of the owner	Limits of the wharf	Particulars of classes of goods to be dealt with	The manner of dealing with them	
1	2	3					4
Madras	*to the North* : A line running in a direction bearing 106°48′ (true) from a point 73′ north of the present obelisk, which is situated to the east of Ghouse Mohideen Petta Road and which is about 1.72 miles from centre of Madras enclosed harbour—and extending seawards to the 10 fathom line, Indian Spring Low Water.	1	Madras Port Trust.	The harbour groynes together with the eastern sheltering arm and every wharf, pier, jetty or boat basin in the possession or occupation of the Madras Port Trust.	All goods [including explosives landed or shipped under the restriction imposed in Notification No. M-1217 (1) dated the 30th Nov. '40 published in the Gazette of India Extraordinary dated 5-12-1940, and Fort St. George Gazette dated 7-1-1941.]	Landing & Shipping.	Within the harbour limits.
Madras	*To the South* : A line running in a direction bearing 106°48′ (true) from a pillar S, and extending seawards to the 10 fathom line Indian Spring Low Water the said pillar S standing near the north-east corner of Napier bridge, by the mouth of Coom river, on the east side of South Beach Road, at a distance of about 1.97 miles from the centre of the enclosed harbour.	2	Madras Port Trust.	The portion of the foreshore north of the harbour which lies between the north groyne and a line drawn due east from the Royapuram Railway Station.	Explosives and such other cargo as the Collector of Customs and the Trustees of the Port may jointly permit.	Landing & Shipping.	
Madras	*To the East* : A line connecting the eastern extremities of the above described north and south boundaries.						

he west :

(*a*) Between the south boundary and Kelly's drain the western limit ; shall be the Indian Low-Spring Water line ;

(*b*) From the Indian Spring Low water line along and parallel to the Kelly's drain and 10′ north of it to a point which is the south extremity of the line described in (c) below ;

(*c*) A line 935' long parallel to the face of the West Quay, the north end of which is 562′ 6″ East of Military zone pillar No. 27 ;

(*d*) Thence along Southern Railway compound wall on the West edge of Harbour Station Road to a point on the North Beach Road forming the tri-junction of Port Trust, Railway and Corporation land, the said point being 123.833′ and 164.125′ respectively from the south-east and north east corners of the plinth of the Government Stamps and Stationery Office ; and thence provided always that the lands of the Bonded Warehouse and of the Harbour Police Station be excluded along the compound wall and fence west, of Port Trust land and east of pavement adjoining the Corporation Road to a point 7′ east of the Port Trust boundary pillar 195′ from the bearing 12· 25″ (true) from the north-west corner of the outer wall of the late Clive Battery ;

(*e*) Thence along the eastern edge of the North Beach Road, the northern edge of North Railway Terminus Road and the eastern edge Mada Church East Side Road ; thence along the line separating the Port Trust Land from Corporation and Military land to the north edge of Kalmandapam Road ; thence along the aforesaid north edge of Kalmandapam Road to the east edge of Ghouse Mohideen Petta Road, and thence, finally named road to a point 73' north of the obelisk referred to in the description of the northern boundary above. Provided always that between the Port Trust boundary pillar above referred to under (d) and the north side of the North Railway Terminus Road and also between the South Side of Tana Street and the north edge of Kalmandapam Road, the Western Boundary of the Port limits shall be a line situated 10 yards above and parallel to the High Water Mark.

[No.105.]
[No F. 69-(251)/Cus. I-IV/50.]

S. K. BHATTERJEE, Secy.

MINISTRY OF FOOD

New Delhi, the 14th November 1956

S.R.O. 2752/Ess.Com./Sugarcane.—In exercise of the powers conferred by clause 6 of the Sugarcane (Control) Order, 1955, the Central Government, subject to any general or special orders which may from time to time be issued by it in this behalf, is pleased to direct that the powers under clause 3 of the said Order shall also be exercisable by the State Government of Kerala, for the purpose of allowing a deduction of Anna one per maund in the minimum price of sugarcane fixed under Government of India in the Ministry of Food and Agriculture Notification No. S.R.O. 2386-A/Ess.Com./Sugarcane dated the 24th October, 1956, for the 1956-57 crushing season to the Pamba River Sugar Factory, Thiruvalla, to enable the said factory to function during 1956-57 season, provided the recovery of sugar obtained from the cane is less than 8 per cent.

[No. F. 23-36/56-SV.]

T. C. PURI, Jt. Secy.

MINISTRY OF AGRICULTURE
(I.C.A.R.)

New Delhi, the 8th November 1956

S.R.O. 2753.—The following amendment to the Indian Central Cotton Committee Provident Fund Rules, 1933, which have been made by the Indian Central Cotton Committee in exercise of the powers conferred by section 16 of the Indian Cotton Cess Act, 1923 (14 of 1923), and with the previous sanction of the Central Government, is hereby published in pursuance of section 17 of the said Act:—

After rule 16 of the said Rules, the following rule shall be inserted, namely:—

"16-*A. Payments towards Insurance policies and family pension fund from the Fund.*

(1) Subject to the conditions contained in rules 16 to 22 of the Contributory Provident Fund Rules of the Government of India,—

(a) (i) subscriptions to a family pension fund approved in this behalf by the Committee, or

(ii) payments towards an insurance policy—may, at the option of a subscriber, be substituted for the whole or part of the subscriptions to the Fund;

(b) the amount of subscriptions with interest thereon standing to the credit of a subscriber in the Fund may be withdrawn to meet:—

(i) payments towards an insurance policy; or

(ii) purchase of a single payment insurance policy; or

(iii) payment of a single premium or subscriptions to a family pension fund approved in this behalf by the Committee:

Provided that no amount shall be withdrawn (1) before the details of the proposed policy have been submitted to the Committee and have been accepted by them as suitable, or (2) to meet any payment or purchase made or effected more than twelve months before the withdrawal, or (3) in excess of the amount required to meet a premium or subscription actually due for payment within six months of the date of withdrawal:

Provided further that payments towards an educational endowment policy may not be substituted for subscriptions to the Fund and that no amounts may be withdrawn to meet any payment or purchase in respect of such policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation;

(c) any amount withdrawn under clause (b) shall be paid in whole rupees only rounded to the nearest rupee (eight annas counting as the next higher rupee).

(2) The Committee may delegate their powers under sub-rule (1) to the President, the Vice-President or the Secretary of the Committee.

Note.—The words "Fund", "Subscriber", "Accounts Officer" and "Government" or "President" wherever they occur in the Contributory Provident Fund Rules of the Government of India shall, for the purpose of this rule, mean "Fund", "Servant of the Committee" and the "Committee", respectively, as defined in the Committee's Provident Fund Rules."

[No. F.1-94/55-Com.II.]

New Delhi, the 9th November 1956

S.R.O. 2754.—In pursuance of the provisions of clause (d) of section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944), the State Government of Travancore-Cochin have nominated Shri M. Abdus Salam, I.A.S., Additional Development Commissioner, Trivandrum, as a member of the Indian Central Coconut Committee for a period upto 31st March, 1958 *vice* Shri V. V. Joseph resigned.

[No. 7-18/55-Com.I.]

MOKAND LALL, Under Secy.

MINISTRY OF HEALTH

New Delhi-2, the 20th November 1956

S.R.O. 2755.—In exercise of the powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), the Central Government, after consultation with the Central Committee for Food Standards, hereby makes the following further amendments in the Prevention of Food Adulteration Rules, 1955, the same having been previously published as required by sub-section (1) of section 23 of the said Act, namely:—

In the said Rules:—

1. for sub-rule (6) of rule 4, the following sub-rule shall be substituted, namely:—

"(6) The fees payable in respect of such a certificate shall be Rs. 40 per sample of food analysed.";

2. after rule 12 the following rule shall be inserted, namely:—

"12-A. Warranty: Every trader selling an article of food to a vendor shall, if the vendor so requires, deliver to the vendor a warranty in form VI A;

Provided that no warranty in such form shall be necessary if the label on the article of food or the cash memo delivered by the trader to the vendor in respect of that article contains a warranty certifying that the food contained in the package or container or mentioned in the cash memo, is the same in nature, substance and quality as demanded by the vendor.

Explanation.—The term 'trader' shall mean an importer, manufacturer, wholesale dealer or an authorised agent of such importer, manufacturer or wholesale dealer."

3. In the table under rule 22, after item 15 relating to "Aerated water" the following item shall be inserted, namely:—

"16. Vanaspati	.....	16 oz."

4. for rule 26, the following rule shall be substituted, namely:—

"26. *Natural colouring matter which may be used.*—

The following natural colouring principles, whether isolated from natural colours or produced synthetically may be used in or upon any article of food:

(a) Cochineal or Carmine.

(b) Carotin and Carotenoids.

(c) Chlorophyll.
(d) Lactoflavin.
(e) Caramel.
(f) Annatto.
(g) Ratanjot.
(h) Saffron.
(i) Curcumin.";

5 for rule 28, the following rule shall be substituted, namely:—

"28. *Coal Tar dyes which may be used:—*

No coal tar dyes or a mixture thereof except the following shall be used in food:—

Colour	Common name	Coloure index	Chemical class
1. Red.	Ponceau 4R	185	Azo.
	Carmoisine	179	Azo.
	Red 6B	57	Azo.
	Red FB	225	Azo.
	Acid Magenta II	692	Triphenylmethane.
	Fast Red E	182	Azo.
2. Yellow.	Tartrazine	640	Pyrazolone.
	*Sunset Yellow FCF	...	Azo.
3. Blue.	Blue VRS	672	Triphenylmethane.
	Indigo Carmine	1180	Indigoid.
4. Black.	Brilliant Black BN	...	Bisazo";

*F. D. & C No. 6.

6. For rule 29, the following rule shall be substituted, namely:—

"29 *Use of permitted coal tar dyes prohibited.*

Use of permitted coal tar dyes in or upon any food other than those enumerated below is prohibited:

(a) Ice-cream including mixed ice-cream.
(b) Dairy products except milk, dahi, butter, ghee, Chhana, condensed milk, cream and baby foods.
(c) Smoked fish.
(d) Egg preparations.
(e) Biscuit, pastry, confectionery and sweets.
(f) Fruit products.
(g) Non-alcoholic beverages except tea, cocoa and coffee.
(h) Custard powder.
(i) Jelly crystals.
(j) Soup powder.
(k) Luncheon or Pork Luncheon meat";

For rule 30, the following rule shall be substituted, namely:—

"30 *Maximum limit of permitted colours:*

The maximum limit of any permitted coal tar colours or mixture of permitted coal tar colours which may be added to any food shall not exceed 1·5 grains per pound of the final food or beverage for consumption."

8. For rule 32, the following rule shall be substituted, namely:—

"32. *Contents of the label*:

Unless otherwise provided in these rules there shall be specified on every label:—

(a) the name, trade name or description of food contained in the package;

(b) the name and business address of the manufacturer or importer or vendor or packer;

(c) where any permitted class II preservative and/or colouring agent is added, a statement to the effect that it contains permitted class II preservatives and/or permitted colouring agents:

(d) the net weight or number or measure or volume of contents as the circumstances may require except in the case of biscuits, confectionery and sweets where the weight may be expressed in terms of either average net weight and/or minimum net weight;

(e) a batch number or code number either in Hindi or English numericals or alphabets or in combination.

Provided that in the case of food package weighing not more than 2 ounces, particulars including the statement under any clause need not be specified:

Provided further that in the case of—

(a) aerated water containers; and

(b) a package containing more than 2 ounces but not more than 4 ounces of biscuits, confectionery and sweets,

particulars under clauses (d) and (e) need not be specified.

Explanation.—The term 'label' means a lisplay of written, printed, perforated stencilled, embossed or stamped matter upon the container of any food package.

9. For rule 33, the following rule shall be substituted, namely:—

"33. *Languages of the particulars or declaration of the label*:

The particulars or declaration required under these rules to be specified on the label shall be in English or Hindi in Devnagri script:

Provided that nothing herein contained shall prevent the use of any other language in addition to the language required under this rule";

10. To rule 37, the following proviso shall be added, namely:—

"Provided that this rule shall not apply in respect of established trade or fancy names of confectionery, biscuits and sweets, such as Barley Sugar, Bulls Eye, Cream Cracker, or in respect of aerated waters such as Ginger Beer or Gold Spot or any other name in existence in international trade practice.

11. Rule 40 shall be renumbered as sub-rule (1) thereof and after sub-rule (1) as so renumbered the following sub-rule shall be inserted, namely:—

"(2) Any beverage which does not contain at least ten percentum of fruit juice by weight in its composition shall not be described as a fruit syrup, fruit juice, squash or cordial or crush and shall be described as a synthetic syrup. Every synthetic syrup shall be clearly and conspicuously marked on the label as a "SYNTHETIC" product, and no container containing such product shall have a label, whether attached thereto or printed on the wrapper of such container, or otherwise, which may lead the consumer into believing that it is a fruit product. Neither the word "FRUIT" shall be used in describing such a product, nor shall it be sold under the cover of a label which carries picture of any fruit.

Aerated water containing no fruit juice or pulp shall not have a label which leads the consumer into believing that it is a fruit product":

12. In rule 42(A)—

sub-rules (ii) and (iii) shall be omitted.

13. In rule 42(B)—

(i) in sub-rule (i) (f) the word 'cream' in the form of declaration shall be omitted.

(ii) in sub-rule (iii) the words 'or cream milk' occuring after the words 'skimmed milk' shall be omitted.

14. in rule 43—

(i) in sub-rule (2) for the existing form of declaration, the following form shall be substituted, namely:—

DECLARATION

This (a).....contains an admixture/addition of not more than (b).....per cent of/international units of (c) .....per ounce".

(ii) after sub-rule (4) the following sub-rule shall be inserted, namely:—

"(5) Nothing contained in this rule shall apply in the case of sweets, confectionery, biscuits, bakery products, processed fruits, aerated water and vegetables.";

15. in rule 44—

(i) in sub-rule (a) for the words and figures "40 per cent" the words and figures "23 per cent" shall be substituted;

(ii) for sub-rule (g) the following sub-rule shall be substituted, namely:—

"(g) any article of food which contains any artificial sweetner except saccharin, or in the preparation of which any such artificial sweetner has been used."

(iii) after sub-rule (h) the following sub-rule shall be inserted, namely:—

"(i) mixture of coffee and any other substance except chicory."

16. for rule 47, the following rule shall be substituted, namely:—

"47 *Addition of Saccharin to be mentioned on the label:*

Saccharin may be added to any food if the container of such food is labelled with an adhesive declaratory label, which shall be in the form given below:

"This.....contains an admixture of saccharin."
(name of food)

17. after rule 48, the following rule shall be inserted, namely:—

"48-A. *Sale of permitted food colours:*

(i) No person shall sell coal tar dyes, or their mixtures or any preparation of such colours for use in or upon food, except under a licence.

(ii) No person shall sell a permitted coal tar dye for use in or upon food unless its container carries a label stating the following particulars:

(a) the words "Food Colours",

(b) the chemical and the common or commercial name of the dyestuff.

(iii) No person shall sell a mixture of permitted coal tar dyes for use in or upon food unless its container carries a label stating the following particulars:

(a) the words "Food Colour Mixture",

(b) the chemical and the common or commercial name of the dyestuffs contained in the mixture.

(iv) No person shall sell a preparation of permitted coal tar dyes for use in or upon food unless its container carries a label stating the following particulars:—

(a) the words "Food Colour Preparation",

(b) the name of the various ingredients used in the preparation.";

18. the following proviso shall be added to sub-rule (5) of rule 49, namely:—

"Provided that utensils or containers made of copper or brass which are not properly tinned may be used in the preparation of sugar or confectionery and mere use of such utensils or containers shall not be deemed to render sugar or confectionery unfit for human consumption.";

19. in rule 50—

(i) in sub-rule (1), item (g) relating to "waste ghee" shall be omitted

(ii) in item (k) of sub-rule (1) for the words and brackets "(except the fruit products covered under the Fruit Products Order)" the following shall be substituted, namely:—

"(except fruit products covered under the Fruit Products Order, 1955, and vegetable oil products or vanaspati, manufactured, stocked, sold or distributed by factories licensed for the purpose)".

(iii) sub-rule (6) shall be omitted.

(iv) in sub-rule (12) after the word "manufacturer" the words and brackets "(including ghani operator)" shall be inserted;

20. in Form I in Appendix A, for "Magistrate" "Magistrate 1st Class/Presidency Magistrate" shall be substituted;

21. in Appendix A, the following Form VIA shall be inserted, namely:—

"FORM VI A".

(*See* rule 12-A)

Form of Warranty

Invoice No.....Place.....

From.....Date.....

To.....

Date of sale	Nature of quality of article	Quantity	Price
1	2	3	4

I/We hereby certify that food/foods mentioned in this invoice is/are warranted to be the same in nature, substance and quality as that demanded by the vendor.

Signature of trader/traders.

22. In para. 2 in Form VII in Appendix A, the word "registered" shall be omitted;

23. in Appendix B—

(i) for items A.03.01, A.04, A.08.03, A.11.02, A.11.10 and A.12, the following shall be respectively substituted:—

"A.03.01. Arrow Root means the separated and purified starch from the rhizomes of the plants known as *Maranta arundinacea* or from *Curcuma augustifolia.*"

"A.04. Asafoetida or Hing means the Oleo-gum-resin obtained from the rhizome and root of *Ferula alliacea*, *Ferula rubricaulis* and other species of *Ferula*. It shall contain no sand, gravel or other foreign mineral matter, colophony resin, galbonum resin, ammoniaccum resin or any other foreign resin. The ash content shall not exceed 15 per cent of its weight; and the alcoholic extract (with 90 per cent alcohol) shall be not less than 25 per cent.

Compounded Asafoetida or Bandhani Hing is composed of one or more varieties of Asafoetida (Irani and/or Pathani Hing) gum arabic and wheat and/or rice flour. It shall not contain sand, gravel or other foreign mineral matter, colophony resin, galbonum resin, ammoniaccum resin or any other foreign resin. The ash content shall not exceed 10 per cent of its weight and the alcoholic extract (with 90 per cent alcohol) shall not be less than 10 per cent. Use of coal tar dyes or mineral pigment is prohibited."

"A.08.03. Coffee Chicory mixture or Coffee mixed with chicory or Coffee and Chicory shall be pure ground coffee mixed with roasted and ground chicory and shall be in sound, dry and dust free condition with no rancid or obnoxious flavour.

Any tin or other receptacle containing a mixture of coffee and chicory shall not bear any misleading expression.

The expression "French Coffee" may be used if followed by the words "mixed with chicory" or "blended with chicory"."

"A.11.02. Skimmed milk, either fresh or reconstituted, means milk from which all or most of the milk fat has been removed by mechanical or any other process and includes "separated milk" or "machine skimmed milk". The milk solids other than milk fat shall be not less than 8·5 per cent."

"A.11.10. Cream means that portion of milk rich in milk fat which has risen to the surface of milk on standing and has been removed or which has been separated from milk by Centrifugal force. It shall contain not less than 23 per cent of milk fat and shall not contain any added substance. The fat separated from cream shall conform to the specification prescribed for ghee".

"A.12. Margarine means any article of food which resembles butter in consistency, appearance and moisture content. It shall contain at least 80 per cent of vegetable oils or of a mixture of vegetable oils with hydrogenated vegetable oils and not more than 16 per cent moisture. It shall contain not less than 5 per cent of its weight of til oil but sufficient to respond to Badouin Test, the red colour produced being not lighter than 2·0 Red Unit in a 1 cm. cell on a Lovibond Scale".

(ii) in item A.14, for the words "from the leaves and buds of plants" the words "from the leaves, buds and tender stems of plants' shall be substituted.

[No. PFA/F.14-70/56-P.H.]

N. B CHATTERJI, Dy. Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 14th November 1956

S.R.O. 2756.—In pursuance of clause (a) of sub-section (1) of section 213B of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby declares that the Government of the Bulgarian People's Republic has accepted the Safety Convention as defined in clause (d) of section 213A of the said Act, that is to say, the Convention for the Safety of Life at Sea signed in London on the tenth day of June, nineteen hundred and fortyeight, as amended from time to time.

[No. 46-MA(4)/56.]

S. K. GHOSH, Dy. Secy.

(Transport Wing)

PORTS

New Delhi, the 17th November 1956

S.R.O. 2757.—In exercise of the powers conferred by sections 33, 35, 46 and 47 of the Indian Ports Act, 1908 (15 of 1908) and in supersession of the Ministry of Transport notification No. 6-PII(28)/55, dated the 23rd September 1955, the Central Government hereby makes the following rules for the Port of Cochin.

RULES

Fees and charges shall be levied at the Port of Cochin in accordance with the Schedule annexed hereto which is applicable to the circumstances of the case.

In calculating the above fees or charges, fractions of less than half an anna shall be ignored and fractions of half an anna and above shall be reckoned as one anna.

Applications for refund of fees for charges paid shall not be considered unless submitted in writing to the Port Authority within six calendar months from the date of first payment. No refund shall be made unless the amount refundable is one rupee or more.

This notification shall take effect on and from the 30th January 1957.

SCHEDULE

Section I—Port Dues.

NOTE.—A surcharge of 33-1/3% shall be levied on the rate specified in this Section.

SCHEDULE

Vessels chargeable (Sea-going vessels of 15 tons and upwards)	Rate of Port dues per ton	Frequency of payment in respect of the same vessel
I. Foreign vessels—		
(*a*) Vessels engaged in trade with the straits Settlements or Ceylon—		
(*i*) Ships	Two annas and three pies.	The payment of the due at the port will exempt the ship or steamer for a period of sixty days from liability to pay the due again.
(*ii*) Steamers	Do.	
(*b*) Other Vessels—		
(*i*) Ships	Two annas and three pies.	The due is payable on each entry into the Port.
(*ii*) Steamers	Do.	
II. Coasting Vessels.		
(*i*) Ships	One anna	The payment of the due at the port will exempt the ship for a period of sixty days from liability to pay the due again.
(*ii*) Steamers	Two annas and three pies.	The due is payable once in thirty days.

Explanations—

In this Schedule—

(*a*) "Ship" means a vessel propelled solely by wind power and "Steamer" means any vessel other than a ship.

(*b*) "Coasting Ship" and "Coasting Steamer" means respectively, a ship or steamer which at the Port of Cochin discharges cargo exclusively from or takes in cargo exclusively for any port on the continent of India or in Burma or in the Island of Ceylon, and "Coasting Steamer" includes a coasting steam vessel having a general pass under section 164 of the Indian Sea Customs Act, 1878.

(c) "Foreign Ship" or "Foreign Steamer" means respectively a ship or steamer not bein a coasting ship or coasting steamer ;

Provided that, for the purpose of the levy of port dues, a vessel shall not be deemed, during one and the same voyage, to be both a coasting ship or steamer and a foreign ship or steamer, but port dues shall, in respect of such voyage, be leviable on such vessels either as a coasting or as a foreign ship or steamer, whichever rate is the higher.

Exceptions—

1. (i) A vessel entering the port of Cochin in ballast and not carrying passengers shall be charged with port due at three-fourth of the rate with which she would otherwise be chargeable ; and

(ii) When a vessel enters the port of Cochin, but does not discharge or take in any cargo or passengers therein (with the exception of such non-shipment and reshipment as may be necessary for purpose of repair) she shall be charged with a port due at half the rate with which she would otherwise be chargeable.

SECTION II

Fees for Pilotage and other attendant services

I. *Pilotage.*

	Scale of fee payable	Remarks
	Rs. A. P.	
1. *Steamers*		
(a) For pilotage inward . . .	0 0 6	Per registered ton subject to a minimum of Rs. 30 per steamer.
(b) For pilotage outward . . .	0 0 6	Ditto.
(c) For either inward or outward pilotage between 6-30 P.M. and 12-00 midnight.	37 8 0	In addition to the fee payable under (a) or (b).
(d) For either inward or outward pilotage between midnight and 6-00 A.M. and also for pilotage which commences before midnight and extends beyond midnight.	75 0 0	
2. *Other Vessels*		
(a) Vessels in cargo (for pilotage inward or outward.	0 2 0	Per ton.
(f) Vessels in ballast (for pilotage inward or outward)	0 1 0	Ditto.

NOTES.—1. In the above table, "steamer" means any vessel other than a vessel propelled solely by wind power.

2. The Administrative Officer Cochin Harbour may, in special cases, remit the whole or any portion of the fees leviable in accordance with item (c) and (d) above.

II. *For Boats employed for the stern fasts of a steamer.*	6 12 0	Per Boat.
III. *Detention charges on Steamers.*		
(i) *For cancellation of a requisition* for the services of a pilot with less than one hours' notice to the Deputy Conservator.	45 0 0	
(ii) For detention of a Pilot by a steamer for more than thirty minutes beyond the time for which the requisition was made :		
For the first hour or part thereof .	45 0 0	
For every subsequent hour or part thereof	25 0 0	

NOTES.—

1. In cases where a pilot boards a steamer but has to return on being informed that his services are not required "cancellation charges" specified in sub-item (*i*) above shall be levied.

2. If a pilot is made to wait for more than 30 minutes after boarding the steamer and is informed that his services are not required, "detention charges" specified in sub-item (*ii*) shall be levied in addition to cancellation charges specified in sub-item (*i*) above, provided that the Deputy Conservator may, at his discretion, wave the whole or part of the "detention charges" so incurred if the pilot is made to wait on board the steamer owing to circumstances beyond the control of the Master of the steamer and if the pilot certifies to that effect in writing.

SECTION III—BERTH HIRE

(NOTE.—The charges specified in items I & II in this section shall be subject to a surcha rge of 33-1/3%)

Rates of Berth Hire

	Rs.	
I. *Steamers*:		
(*i*) Occupying a wharf berth or a stream berth . .	50	Per steamer per day or part of a day.
(*ii*) Anchoring with their own gear anywhere in the dredged area and deep water channels navigated by sea-going vessels.	5	Per vessel per day or part of a day subject to a minimum of Rs. 20 per vessel.
II. *Sailing Vessel*:		
(*i*) Occupying a wharf berth or a stream berth . .	30	Per vessel per day or part of a dak.
(*ii*) Occupying a low wharf berth or jetty at Willingdon Island.	15	Per vessel per day or part of a day.
(*iii*) Anchoring with their own gear anywhere in the dredged area and deep water channels navigated by sea-going vessels.	5	Per vessel per day or part of a day subject to a minimum of Rs. 20 per vessel.

NOTES.—

1. A day shall be reckoned as 24 hours from the time mooring in a berth or anchoring is completed.

2. (*a*) A steamer shifting from a stream berth to a wharf berth or *vice versa* shall be liable to pay the fees chargeable for the original berth calculated for the entire period the vessel is in port.

(*b*) A sailing vessel shifting from a low wharf berth to a stream or wharf berth or *vice versa* shall be liable to pay the fees chargeable for the stream of wharf berth as the case may be, for the day of shifting.

Country sailing craft anchoring with their own gear in the areas set apart for them by the Conservator of the Port shall not be charged any berth hire.

III. *Shifting and Remooring of Vessels*:

(*a*) For Shifting a steamer to another berth . .	Rs. 30	per steamer
(*b*) For remooring a steamer	Rs. 20	do.

NOTES.—

1. When a moored steamer is shifted for the convenience of the Port, no shifting or remooring fees shall be charged. When a moored steamer is shifted and remoored for its own convenience or for the convenience of another steamer, the steamer for whose convenience the shifting takes place shall pay the shifting and remooring fees.

2. When a steamer which has to land or ship goods at the wharf not exceeding 100 tone is shifted from a stream berth to a wharf berth or *vice versa*, no fees shall be charged for shifting and remooring the steamer on the first occasion but on subsequent occasions fees at the rate prescribed above shall be charged.

3. These charges are in addition to 'Berth Hire" specified in items I and II above.

4. Shifting as applied to sailing vessels shall be between the fairway buoy and sailing vessels anchorage of Fort Cochin wharf. Beyond these points within the harbour they shall proceed only under tow with the permission of the Deputy Conservator, no pilot being required.

SECTION IV

Fees for the Supply and Use of Cranes at the Wharf

I. *Cranage charges against Importers or Shippers.*

(1) *On cargo paying wharfage*

(*i*) For lifts upto an inclusive of 1½ tons each.	Rs. 0 10 0	Per ton or part thereof per hoist.
(*ii*) For lifts exceeding 1x tons but not exceeding 10 tons each.	Rs. 6 4 0	Per ton or part thereof per hoist.

Provided that cranage charges will not be levied for the operation or landing or shipment if incurred by Importers or Shippers.

(2) *On cargo not paying wharfage.*

(*i*) Cranes of 3 tons capacity or under, during day or night.	Rs. 12 8 0	Per crane per hour or part thereof.
(*ii*) Cranes of over 3 tons capacity during day or night.	Rs. 37 8 0	Per hour or part thereof.

NOTE.—In cases where no written notice of cancellation is received before commencement of the hire or where the crane is not utilised to the full exetent specified in the requisition, no refund of charges paid shall be allowed. If the Port does not of its own accord supply the crane or supplies it to a partial extent to suit its convenience, charges will be refunded to the extent of non-supply, provided the Traffic Manager certifies to that effect in writing in each case.

II. *Chargds against Masters, Owners or Agents of Vessels for Loading or unloading of Vessels. berthed at the wharf frontage.*

(*a*) Cranes of 3 tons capacity or under during day or night.	Rs. 2 0 0	Per hour or part thereof per crane requisitioned by each applicant and supplied, subject to a minimum charge of Rs. 8 perd crane.
(*b*) Cranes over 3 tons capacity during day or night.	Rs. 15 0 0	Per hour or par thereof per crane.

NOTE.—A charge of Rs. 8 per crane in the case of cranes of 3 tons capacity and under, an Rs. 15 per crane in the case of cranes of over 3 tons capacity will be recovered if a requisition is cancelled in writing before the commencement of the period of hire provided that the Traffic Manager may at his discretion waive this charge if the notice of cancellation is received before action has been taken by the Port to comply with the requisition. In cases where no written notice of cancellation is received before the commencement of the period of hire or where the crane is used only for a portion of the period applied for, charges payable for the full period of requisition will be recovered. If the Port is unable to supply the cranes to suit its convenience, either for the entire period of requisition or for a part thereof, no charges will be made for the period of non-supply, provided the Traffic Manager certifies to that effect in each case.

III. *Hire for other purposes.*

(*a*) Cranes of 3 tons capacity or under during day or night	Rs. 3 12 0	Per crane per hour or part thereof, subject to a minimum charge of Rs. 15 per crane from each person requisitioning their use.
(*b*) Cranes of over 3 tons capacity during day or night	Rs. 37 8 0	Per crane for the first hour or part thereof and Rs. 12 8 0 for every subsequent hour or part thereof from each person requisitioning their use

NOTE.—A charge of Rs. 15 per crane in the case of cranes of 3 tons capacity and under, and Rs. 37-8-0 per crane in the case of cranes of over 3 tons capacity will be recovered if a requisition is cancelled in writing before the commencement of the period of hire provided that the Traffic Manager may at his discretion waive this charge if the notice of cancellation is received before action has been taken by the Port to comply with the requisition. In cases where no written notice of cancellation is received before the commencement of the period of hire or where the crane is used only for a portion of the period applied for, charges for the full period of requisition will be levied. If the Port is unable to supply the crane(s) to suit its convenience, either for the entire period of requisition or for a part thereof, no charges will be made for the period of non-supply, provided the Traffic Manager certifies to that effect in each case.

IV. *Conditions for the supply and use of cranes in general*

1. The working hours for cranes shall be from 8 a.m. to 12 noon and from 1 p.m. to 5 p.m and from 6 p.m. to 10 p.m. and from 11 p.m. to 3 a.m. Work beyond these hours allowed by the Traffic Manager as a special case will be charged for at the usual rates.

2. The hire charges will commence from the time the cranes are made available for use.

3. The Port shall only man and work the cranes. The labour for slinging and unslinging the cranes except in the case of hire to Masters, Owners or Agents of vessels for loading and unloading of vessels shall be supplied by the users concerned.

4. Requisitions for cranes shall be made out in dupliate in the prescribed form, signed by the hirer concerned showing the number and description of cranes required, from what time, and for how long, or for handling how much quantity etc. and delivered to the Wharf Superintendent. Applications for work during day must reach the Wharf Superintendent not later than 3 p.m. on the previous day and for work during night not later than 2 p.m. on the same day, if it is a working day, otherwise not later than 3 p.m. on the previous working day. If requisitions are received after the prescribed time, the crane may be supplied only, if available.

5. When cranes are required for longer period than requisitioned for, a fresh requisition shall be submitted at least one hour before the expiration of the period mentioned in the original requisition.

6. It is the responsibility of the hirer to see that loads greater than their marked lifting capacities are not put on the cranes.

7. Under no circumstances whatever shall cranes be employed for the purpose of breaking up or removing goods from under the coamings.

8. The crane shall be used alone and no other lifting gear shall be used in conjunction with it on any one lift without prior permission in writing of the Traffic Manager.

9. Ships Officers must see that the Port's cranes work quite clear of ship's gear and of all obstructions.

10. For purposes of levy of charges as detailed above, the capacity of a crane shall be determined by the capacity of the hook actually used for working the crane as certified by the Wharf Superintendent. If however, a hook different from the one requisitioned by a party is supplied to suit the Port's convenience, charges applicable to the hook requisitioned shall alone be recovered.

11. The port shall not be responsible to the hirer or any person for any loss or damage arising directly or indirectly from the use of the cranes during the period of supply of hire. The hirer shall indemnify the Port against all loss or damage, except loss or damage due to fair wear and tear.

12. When cranes are requisitioned for a specified number of hours but are made available not continuously but at different times to suit the convenience of the Port, charges will be calculated as if the hire was for a continuous period by totalling up the broken periods of work instead of rounding of each spell of work separately.

SECTION V

Charges for the supply and use of the floating crane "St. George"

I. *Against Masters, Owners, or Agents of vessels for loading into or unloading from vassels.*

(a) For landing or shipping at the wharf or of goods to or from the wharf, or in the Mattancherry channel:

(i) For lifts not exceeding 10 tons	Rs. 6 4 0	per ton of 20 cwts. or part thereof subject to a minimum of Rs. 62 8 0
(ii) For lifts exceeding 10 tons but not exceeding 30 tons	Rs. 12 8 0	per ton of 20 cwts. or part thereof.

NOTE.—Provided that if in any special case the port agrees to handle lifts exceeding 30 tons, the charges therefor shall be levied at Rs. 18 - 12 - 0 per ton of 20 cwts. or part thereof.

II. *For other purposes.*

(b) For lifts temporarily landed and shipped or shifted during landing and shipping operations, the period of use being reckoned from the time the crane is engaged till its release as recorded in the crane's log.	Rs. 62 8 0	per hour or part thereof.
(c) For any operation within Port limits other than those under (a) and (b) above the period of hire being reckoned from the time the crane is made available till its release, as recorded in the crane's log.	Rs. 225 0 0	per hour or Part thereof.

NOTE :—

1. No charges shall be levied for the use of the floating crane for handling wharf heavy lifts during the operation of landing or shipping *i.e.* unloading from pontoon to wharf in the case of import cargo and loading from wharf to pontoon in the case of export cargo.
2. For work at night, or on Sundays and other holidays declared in this behalf by the Administrative Officer, any extra charges of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 62-8-0 for work during day or night will be levied.
3. Extra charges for "work at night or on Sundays and other holidays" shall be levied for the *whole* period the crane is at the disposal of the hirer.
4. If the crane is kept idle on requisition to suit Port's convenience and extra charges acrue for night, Sunday or holiday work on this account the extra charges shall be waived. Each case will be decided on its merits by the Administrative Officer.
5. For the calculation of the detention period the different periods of detention shall be totalled up and charges levied accordingly instead of each period being rounded off separately.
6. If the crane is used beyond Port limits, fee shall be charged at such rates as may be fixed by the Administrative Officer in each particular case.
7. For services of the tug engaged for towing the floating crane within Port limits no extra charges will be made.

Conditions of Hire

1. The Port shall only man and work the crane, the labour required for handling the cargoes being supplied by the parties concerned. Labour can be supplied by the Port, if so desired at rates to be fixed by the Traffic Manager.

2. The crane and slings shall be supplied subject to the condition that the Port shall have no responsibility for any loss of or damage or injury to life or property which may be directly or indirectly due to the failing of the crane or slings at any stage or any act or default of any employee of the Port or any other person, and the hirer shall indemnify the Port against claims for all loss or damage except loss or damage due to fair wear and tear.

3. Except where the Traffic Manager in his discretion decides otherwise, the crane shall ordinarily be supplied according to priority of requisition.

4. Requisitions for the use of the crane shall be made in the prescribed form and shall reach the Traffic Manager during working hours at least 24 hours before the time it is required.

5. When a requisition for the crane is cancelled the following fees shall be charged, provided that no such fees shall be levied if a written notice of cancellation is received by the Traffic Manager clear 24 hours before the time from which the crane was requisitioned.

(i) If a requisition is cancelled in writing, within 24 hours preceding the time from which the crane was requisitioned, a fee of Rs. 62-8-0 shall be charged.

(ii) If a requisition is cancelled after the time from which the crane was requisitioned, a fee of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 62-8-0 shall be charged from the time for which the crane was requisitioned till the return of the crane to its moorings or the time of receipt of the cancellation whichever is earlier.

(iii) In the case of a requisition not being cancelled or the crane not being used at all a fee of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 125/-shall be charged from the time for which the crane was requisitioned till its return to its mooringsas recorded in the crane log.

NOTES :—

(a) In cases where the Port's convenience is involved the fees prescribed in sub-rules (i) and (ii) above shall not be charged, provided a certificate to that effect is issued by the Traffic Manager in each case.

(b) Only the minimum prescribed under rule 5(ii) or (iii) above shall be charged in case the crane has not left its moorings.

6. In cases where the Port, for any reason, is unable to supply the crane as per requisition to suit its convenience either for the full period of the requisition or for a part thereof, no charges will be made for the period of non-supply provided a certificate to that effect is issued by the Traffic Manager in each case.

7. When the floating crane is kept idle on requisition for a continuous period of more than 30 minutes a charge of Rs. 12-8-0 per hour or part thereof will be made for such period of idling.

8. The normal working hours for the crane shall be during a day from 8 a.m. to 12 noon and from 1 p.m. to 5 p.m. and during night from 6 p.m. to 10 p.m. and from 11 p.m. to 3 a.m. Work beyond these hours if allowed by the Traffic Manager as a special case will be charged for at the usual rates. Any work done during 6 p.m. to 6 a.m. will be treated as night work.

9. Lifts shall be placedin a position clear of all other cargo on the vessel or on shore, as the case may be, so that the jib of the crane can be swung vertically above the lifts.

10. The port official in charge of the crane may refuse to work the crane if, in his opinion safe and proper precautions are not being taken.

11. Fees for the supply and use of sling shall be charged for separately at the prescribed rates.

SECTION VI.

Hire rates for the use of the port's dry dock by vessels not belonging to the port.

The rates shall be :—

(i) for the first day	Rs. 950
(ii) for every succeeding day or part thereof	Rs. 200

NOTES :—

1. "Day" shall mean the period from 6 a.m. on one day to 6 a.m. on the following day.

2. For docking or undocking on a Sunday or other holiday prescribed in this behalf by the Administrative Officer, Cochin Harbour, an extra charge of Rs. 50/- per vessel shall be levied.

3. After 20 days' use of the dock by any vessel the Mechanical Superintendent, Cochin Harbour, may increase the rate of charge.

4. Applications for the use of the dock must state the period for which it is required. Should the period granted be exceeded, the rate of charge may be increased at the discretion of the Mechanical Superintendent, Cochin Harbour.

5. When the dock is used by two or more vessels at the same time, the hire charges will be distributed among all the vessels using the dock in the proportion to be decided by the Mechanical Superintendent, whose decision in the matter shall be final.

Conditions of Hire

1. (i) Ordinarily the hours between which vessels may enter the dock for dry docking shall be from 7-30 a.m. to 12 noon. These times permit of the pumping out of the dock, setting of the vessels on the keel blocks and shoring up within daylight hours.

(ii) The hours between which vessels may leave the dock after floated shall be from 11 a.m. to 4-30 p.m. which permits of the filling of the dock and refloating of the vessels within daylight hours.

(iii) In special cases, however, docking or undocking out of these hours will be permitted by arrangement provided that an additional charge of Rs. 50/- per vessel is paid to meet the cost of over time for the staff, and provided further that suitable lighting and other arrangements for the purpose are made by the hirers at their expense.

2. The period of a vessel's occupation of the dock shall count from the time the dock gates are closed after the vessel has entered. The period of occupation ends when the vessel has cleared the dock entrance when leaving.

3. The rates prescribed include the charges for all shore labour and materials necessary for arranging the keel blocks before occupation, for pumping out and flooding the dock, closing and opening the gates and for the use of such blocks, shores and staging as are available. The vessel shall provide at its own expense all materials such as ropes etc. and labour for shifting blocks or shores or for other purposes. Blocks, shores and staging which are cut or destroyed shall be harged for according to the damage done.

4. Applications for the use of the dock shall be made to the Mechanical Superintendent, Cochin Harbour, in the form hereunto annexed. The applicant will be notified by the Mechanical Superintendent if the vessel can be accepted and if so, on what date and for what period.

5. After a vessel has been accepted and before it can be placed in the dock, the charges payable should be deposited with the Chief Accountant, Cochin Harbour.

6. The deposit made in respect of any vessel under condition 5 shall be liable to be forfeited in whole or in part at the discretion of the Mechanical Superintendent in the event of the vess not being ready to be docked or not using the dock, on the day notified under condition 4 for t. admission of the vessel into the dock. In the event of the vessel being refused admission into the dock by reason of its failure to comply with any of the provisions of condition 7 all the expenses incurred by the Port in respect of the docking of such vessel shall be borne by the vessel.

7. Prior to the time regulated for the admission of any vessel into the dock, the following arrangements must be carried out by the hirer on board the vessel in consultation with the Mechanical Superintendent :—

(a) Suitable hawsers and heaving lines should be in readiness on each side, fore and aft, and gentline rove for masthead pendants.

(b) The vessel should be upright and as nearly as possible on an even keel and the bilges shall be perfectly dry, fore and aft, and kept so. All side and stern ports shall be shut.

(c) The ballast tanks should either be pressed full with their doors properly secured or pumped quite dry with their doors off ready for inspection if so required by the Mechanical Superintendent.

(d) All the vessel's water closets and latrines should be thoroughly cleaned and securel fastened up before the vessel enters the dock and no use whatever should be made of them whilst the vessel is in the dock. If the water closets and latrines are used while the vessel is in dock a charge of Rs. 50/- shall be payable for damages caused to the dock thereby.

(e) If so required by the Mechanical Superintendent, the awnings should be furled.

(f) If so required under the provisions of any regulations relating to plague or other infectious or contagious diseases, the vessel should be fumigated by the parties before being docked.

(g) No vessel carrying petroleum in bulk as cargo on board shall be allowed to enter the Dry Dock until the Master produces a certificate granted by a competent officer appointed by the Government in this behalf under the provisions of the Petroleum Rules 1937, to the effect that such officer has examined the tanks with the aid of a vapour testing instrument and that the vessel is free from dangerous vapour and is in a fit state to enter the Dry Dock.

(h) Vessels other than a vessel carrying petroleum in bulk as cargo on board requiring repairs to their fuel tanks on any fitting attached thereto, shall not be allowed to enter the Dry Dock unless an officer, duly authorised in this behalf under the provisions of the petroleum Rules, 1937, is satisfied that the tanks have been made gas-free and certifies to that effect in writing.

(i) The vessel's crew shall render every assistance when docking and undocking, and if, in the opinion of Officer-in-charge of the dock, extra hands are required on board, they should be provided at the expense of the hirers.

(j) If, on inspection, the Mechanical Superintendent finds that any of the above arrangements has not been duly carried out, the vessel may be refused admission into the dock.

8. If before the expiry of the period for which use of the dock was granted, the Mechanical Superintendent is satisfied on written application made to him in that behalf that, owing to circumstances unforeseen or beyond control, work which can be done only in the dock cannot be completed within the said period, he may allow such extension of time as may be necessary and reasonable.

9. If any vessel does not leave the dock at the expiry of the period for which use of the dock was granted under condition 4 or extended under condition 8, whether the repairs or other works on such vessel have or have not been completed, the Mechanical Superintendent may, upon giving twenty-four hours' notice to the hirers, flood the dock and let out or cause to the removed the said vessel or admit any other vessel thereto, and any loss or damage sustained by any vessel by reason of such action shall be exclusively borne by the hirers in addition to all the expenses incurred by the Port in so removing the vessel including the cost of making the vessel water-tight.

10. No person shall boil or heat pitch, tar or other conbustible matter or light a fire near the dock except at the places which may be provided for the purpose.

11. The cost of deodorizing and pumping bilge water and water admitted to dilute bilge water out of the dock and of all labour employed in removing from the dock, debris, garbage and scrapings from the ship's bottom shall be borne by the hirers.

12. The Port Authority accepts no responsibility whatever for any detention occasioned to vessels making use of the dock.

13. The hirers shall be responsible for any injury, caused by the works or their workmen to any person, animal or thing and shall indentify and hold the Port Authority harmless in respect thereand also in respect of any claim which may be made by any person in the employ of the hirers for damage or injury. The hirers shall also make good the cost of any damage, repairs or loss to the dock, its appurtenances, , Plant, gear, tackle, etc. by the vessel, the works of workmen, arising directly or indirectly in the course of the hire.

APPLICATION FOR THE USE OF THE PORT'S DRY DOCK

(In Triplicate)

1. Name and address of the applicant . .....
.....

2. Name and description of the Vessel . . ..
.....

3. Period for which the use of the dock is required — From .....
To.....

I/we have read the conditions and the prescribed scale of rates for the dock and agree to be bound by all the provisions thereof.

Before the vessel is undocked I/We shall satisfy myself/ourselves that all sea cocks, bilge, holes and other apertures, in the vessel's bottom are securely enclosed.

Dated.....(Sd.) .....

Endorsement by the Mechanical Superintendent.

Period for which the use of the dock is granted . From .....
To .....

N.B.—The dates allowed for the use of the dock do not bind the undersigned in any way. All that is implied is that he will do his best to give the use of the dock on the dates named or as soon afterwards as practicable, consistent with other engagements.

Dated ..... (Sd).....
(*Mechanical Superintendent*)

Signature of the applicant in token of acceptance of the above, with date .....

SECTION VII

Overtime Fees Payable by Vessels Working at the Willingdon Island Wharves.

Item No.	*Period and description of work*	*Charges leviable*
(i)	Work during recess hours by day including Sundays and holidays	Rs. 5/- per staging
(ii)	Night work including work done during recess hours by night per hour or part thereof.	Port-hole or hook (crane derrick)

(*iii*) *Work on sundays and holidays.*

(*a*) For work during the period 6 a.m. to 12 NOON or 12 NOON to 6 P.M. during day or from 6 P.M. to 11 P.M. or 11 P.M. to 6 A.M. during night not exceeding 4 hours, including recess hours.	Rs. 50/- per vessel.
(*b*) For work during the period 6 A.M. to 12 NOON or between 12 NOON to 6 P.M. during day or from 6 P.M. to 11 P.M. or 11 P.M. to 6 A.M. during night exceeding 4 hours including recess hours.	Rs. 100/- per vessel.

N.B.—The charges mentioned in item (*iii*) will be in addition to the charges specified in items (*i*) and (ii) above.

Notes :

1. (*a*) Applications in the prescribed form for work at night on working days must reach the Wharf Superintendent in writing not later than 2 P.M. the same day.

(*b*) Applications for work on Sundays and holidays including work at night on these days m reach the Wharf Superintendent in writing not later than 3 P.M. the previous _ workli day.

(*c*) Applications in the prescribed form for work during recess hours must reach the Wharf Superintendent in writing not later than 2 hours before the time the recess hour work is required.

(*d*) Working during recess hours will be allowed only in very exceptional circumstances and at the sole discretion of the Traffic Manager.

2. Any work done between 6 P.M. and 6 A.M. shall be treated as night work and charges shall be levied irrespective of the hour at which night work commences, as if it commenced from 6 P.M.

3. The minimum period for which overtime work shall be applied for and charged shall be four hours per hook in the case of recess or night work on days and four hours for work on Sundays and Holidays.

4. (*a*) Advices in writing cancelling the night work applied for either wholly or in part must reach the Wharf Superintendent by 4-30 P.M. the same day in the case of working days and by 4-30 P.M. the previous working day in the case of night work on Sundays and holidays. Otherwise overtime fees for the full night work applied for shall be levied.

(*b*) Advices in writing cancelling the work during day on Sundays and holidays applied for must reach the Wharf Superintendent by 4-30 P.M. the previous working day. Otherwise overtime fees for a period exceeding four hours shall be charged, provided that only fees for a period of 4 hours shall be levied if an advice in writing cancelling the application is received by the Wharf Superintendent before 12 NOON on the day for which the work was required.

(*c*) Advices in writing cancelling the recess hour work applied for must reach the Wharf Superintendent not later than one hour before the time the recess hour work was required.

(*d*) In cases where the Port's convenience is involved, the levy of overtime fees as stipulated in (*a*) and (*b*) above shall not be made provided a certificate to that effect is issued by the Traffic Manager in each case.

5. For the purposes of these rules, "holiday" means any day declared to be a holiday in this behalf by the Administrative Officer, Cochin Harbour, and "recess hours" means the hours between 3 A.M. and 8 A.M. and 12 NOON and 1 P.M. and 5 P.M. and 6 P.M. and 10 P.M. and 11 P.M.

6. When the working of a vessel is interrupted or delayed for port's convenience, fees shall be levied only for the hours actually worked, fractions of an hour in the total being calculated as one hour, subject, however, to the minimum payable under Note 3 above.

SECTION VIII

Overtime Fees for Employees of the Port

Fees for the services of the employees of the Port of Cochin, performed out of office hours or during holidays (hereinafter referred to as over-time work) shall be charged at the rate given below :—

Grade of employees	Fees chargeable for work performed on		
	Working days and holidays prescribed by the Conservator of the Port from 6 P.M. to 6 A.M. on the next day.	On holidays prescribed by the Conservator of the port from 6 A.M. to 9 A.M. and from 11 A.M. to 6 P.M.	On Sundays & closed holidays from 6 A.M. to 6 P.M. from 6 P.M. to midnight, & from midnight to 6 A.M. on the next day.
Employees drawing a pay of Rs. 120/- or more per mensem but not exceeding Rs. 200 per mensem.	Rs. 2-4-0 per hour subject to a minimum of Rs. 11-4-0 if work finishes before midnight and of Rs. 13-8-0 if work finishes after midnight.	Rs. 1-8-0 per hour or part thereof.	Rs. 3/- per hour or part thereof subject to a minimum of Rs. 15/-
Employees drawing a pay of Rs. 55 or more per mensem but less than Rs. 120/- per mensem.	Rs. 1-2-0 per hour subject to a minimum of Rs. 5-10-0 if work finishes before midnight and of Rs. 6-12-0 if work finishes after mid-night.	Annas 12 per hour or part thereof.	Rs. 1-8-0 per hour or part thereof, subject to a minimum of Rs. 7-8-0.
Employees drawing a pay below Rs. 55 per mensem.	Annas 3 per hour subject to a minimum of Rs. 1-8-0.	Annas 3 per hour or part thereof.	Annas 6 per hour or part thereof subject to a minimum of Rs. 1-8-0.

1. Closed holidays shall mean for purpose of these rules any holiday declared as such by Government.

2. The rates of fees chargeable shall be determined with reference to the actual pay drawn by the employee concerned.

3. Requisition for overtime work including work between the hours 9 A.M. and 11 A.M. on holidays shall be submitted to the department concerned before 4 P.M. on the previous working day. If the requisitions do not reach in time, overtime work may be arranged only if practicable.

4. Requisition for overtime work shall be accompanied by the full amount of fees chargeable for such work except in the case of work between 9 A.M. and 11 A.M. on holidays prescribed by the Conservator which will be rendered free but the Conservator of the Port may, after obtaining guarantee for the payment of such amount, allow such payment to be made within a week of the date on which the overtime work was done.

5. When more than one vessel or merchant applies for overtime work the fees payable for such work shall be distributed equally among them.

6. The fees chargeable for overtime work ahall always be paid by the vessel or merchant applying for such work, whether the services requisitioned are availed of or not.

SECTION IX

MISCELLANEOUS CHARGES

(1) *Fees for the Supply of Fresh Water to Vessels* :

Rs. 3/- per ton subject to a minimum of :—

(*a*) Rs. 20/- per vessel in respect of country craft and vessels registered under the Cochin Harbour Craft Rules, 1947, provided that the vessel does not take water alongside the Port's water barges, and

(*b*) Rs. 60/- in all other cases.

2. *Fees for salvage of import and export Gargo within the port.*

(*a*) Where there is no risk of life	10 per cent *ad valorem plus* the authorised hire charges for any special plant used.
(*b*) Where there is risk of life . . .	20 per cent *ad valorem plus* the authorised hire charges for any special plant used.

NOTES—

1. In the case of goods liable to damage by water, the fees for salvage shall be recovered on the sale value or customs valuation as the case may be.
2. The decision of the Administrative Officer, Cochin Harbour, on whether risk of life was incurred in salving the goods or whether the goods were of the category mentioned in Note 1 above shall be final and binding on the parties concerned.
3. The usual landing and shipping fees shall also be leviable on salved cargo.

(3) *Charges for the Hire of Electric Lights at the Wharf.*

The rates shall be as follows :—

(1) Cluster lights with a total maximum of 360 watts supplied for use by ships.	Rs. 9/- per cluster per night or part the
(2) Electric hand lamps supplied for use in wagons.	Rs. 2/- per hand lamp of 100 watts. per night or part thereof.

NOTE—

Requisitions for supply of electric lights and lamps should be sent to the Wharf Superintendent.

(4) *Fees for the hire of Weighing scales and for the issue of certificates of weights for wharf cargo.*

(*i*) For hire of weighing scales .	Rs. 2 4 0	per day per scale.
(*ii*) For issue of certificates of total tonnage of goods.	Re. 1 0 0	per hour or part thereof or weighment or measurement of the consignment (*i.e.*, goods covered by one application) subject to a minimum of Rs. 4/- for each certificate.

NOTES—

1. The attendant labour shall be supplied by the parties concerned in all cases.
2. Charges shall be levied in accordance with the above scale when it is necessary for the Port to weigh or measure goods *e.g.*, for the purpose of assessing the amount of the landing and shipping fees payable in respect of the goods.
3. "Day" means the period from 6 A.M. on one day to 6 A.M. on the next day.
4. No refund of hire charges shall be allowed in case a notice of cancellation of requisition is not sent to the Traffic Manager in writing so as to reach him at least 2 hours perior to the commencement of the period of hire.

(5) *Fees for Measuring and Surveying Vessels*

Tonnage of vessels to be measured and surveyed.	*Fees leviable.* Rs.
Under 50 tons	7
50 tons or more but under 100 tons . . .	11
100 tons or more but under 150 tons . . .	15
150 tons or more but under 200 tons . . .	19
200 tons or more but under 250 tons . . .	23
250 tons or more but under 300 tons . . .	27
300 tons and upwards	30

(6) *Fees for the Transmission of Master's Service Messages by the Wireless Station on Willingdon Island.*

(1) A fee of seven annas per word shall be levied for the transmission of Master's Service Messages by the Wireless Station on Willingdon Island in the Port of Cochin ; and

(2) A fee of four annas per word shall be levied for the reception of such messages by the said Station.

(7) *Fees for the use of weighbridge.*

Weighment of cargo on the Port's 20 ton lorry weigh-bridge .	4 annas per ton or part thereof.

NOTES.—

1. The weigh-bridge shall be used only for weighing lorries or carts with or without loads
2. This Fee will cover the service of passing the cart or lorry both empty and loaded over the weighing platform and giving a certificate of both the tare and the loaded weight
3. The port will not supply labour for using the weigh-bridge the necessary transport, labour etc. being arranged by the parties concerned.
4. The port shall not be responsible to the hirer or any other person for any loss or damage or accidents arising directly or indirectly from the use of the weigh-bridge during the period of hire. The hirer shall indemnify the Port against all loss or damage except loss or damage due to reasonable wear and tear.

(8) *Charges for the use of the Port's pipelines for pumping bunker oil to ships*

A charge of 12 annas per ton or part thereof shall be levied for the use of the pumping and pipelines facilities provided by the port in respect of oils bunkered to ships.

The Port shall not be responsible to the user or any other persons for any loss or damage or accidents arising directly or indirectly from the use of the pumping facilities and the pipelines during the period of use. The user shall indemnify the Port against all loss or damage except loss or damage due to reasonable wear and tear.

[No. 6-PII(28)/55.]

S.R.O. 2758.—The following draft of certain rules for the port of Cochin, which the Central Government proposes to make in exercise of the powers conferred by section 6 of the Indian Ports Act, 1908 (15 of 1908) and in supersession of the Ministry of Transport notification No. 6-PII(28)/55 dated the 23rd September, 1955 is published as required by sub-section (2) of section 6 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 24th December, 1956.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rules

(1) Fees and charges shall be levied at the Port of Cochin in accordance with any of the sections of the schedule annexed hereto which is applicable to the circumstances of the case.

(2) In calculating the fees or charges, fraction of less than half an anna shall be ignored and fractions of half an anna and above shall be reckoned as one anna.

(3) Applications for refund of fees or charges paid shall not be considered unless submitted in writing to the Port authority within six months from the date of first payment; and no refund shall be made unless the amount refundable is one rupee or more.

SCHEDULE

SECTION I

Hire of Hand Cranes at the Shallow Wharf

10-Ton hand crane	Rs. 3-12-0 per hour or part thereof during day or night subject to a minimum charge of Rs. 7-8-0.
2-Ton hand crane	Rs. 1-14-0 per crane per hour or part thereof during day or night subject to a minimum charge of Rs. 3-12-0 per crane.

NOTES.—(*i*) The minimum charge will be recovered if a requisition is cancelled in writing before the commencement of the period of hire as specified in the requisition, *provided* that the Traffic Manager, may, at his discretion, waive this charge if the notice of cancelltion is received before action has been taken by the Port to comply with the requisition.

(*ii*) In cases where no written notice of cancellation is received before the commencement of the period of hire as specified in the requisition charges payable for the full period of requisition subject to the minimum will be levied.

(*iii*) If the crane is used only for a portion of the period applied for, charges payable for the full period will be levied.

(*iv*) If the port, in order to suit its convenience, does not supply the crane as per requisition no charges will be levied provided the Traffic Manager certifies to that effect in writing.

Conditions of Hire

(1) The necessary labour shall be supplied by the hirer.

(2) The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the cranes during the period of hire and the hire shall be liable to indemnify the Port against all loss or damage.

SECTION II

CHARGES FOR THE HIRE OF PORT'S PLANT AND APPLIANCES

Charges for the hire of the Port's plant and appliances shall be levied as under :—

Serial No.	Name of craft, plant or appliance	Amount of hire — Rate	Unit
1	2	3	4
		Rs. A. P.	
1.	Slipway	17 10 0	per 24 hours, or part thereof.
2.	Pile Driving Pontoon.—		
	(*i*) with boiler in commission . .	116 0 0	per 8 hours or part thereof during day.
		174 0 0	per 8 hours or part thereof during night.
	(*ii*) without boiler or mooring tubulars.	30 0 0	per day or part thereof.
		45 0 0	per night or part thereof.
3.	Fender Pontoon	45 0 0	Per day or part thereof.
		67 8 0	Per night or part thereof.
4.	Diving Plant	13 8 0	Per day or part thereof.
		20 4 0	Per night or part thereof.
5.	12 ton stationary Crane at Dry Dock .	60 0 0	Per day or part thereof.
		90 0 0	Per night or part thereof.

1	2	3	4
6.	Portable Welding Plant	30 8 0	Per 38 hours or part thereof during day.
		45 12 0	Per 8 hours or part thereof during night.
7.	30-ton weighing clock (or spring balance) .	7 8 0	Per day or part thereof.
		11 4 0	Per night or part thereof.
8.	Anchor Boat	22 8 0	Per day or part thereof.
		33 12 0	Per night or part thereof.
9.	Small rowing boats No. 1 or No. 2 .	3 0 0	Per day or part thereof.
		4 8 0	Per night or part thereof.
10.	Fire Float	90 0 0	For the first 6 hours or part thereof.
		75 0 0	For the second or any subsequent 6 hours or part thereoft
11.	Trailer pump	70 0 0	For the first 6 hours or par thereof.
		60 0 0	For the 2nd and subsequent 6 hours periods or part thereof.
12.	Fire tender	1 12 0	Per running mile.

NOTES.—(1) In cases where hire by night is permitted and the period of hire extends over day and night, both day and night charges will be collected provided that only night hire will be charged if the total period of hire does not exceed 8 hours.

(2) In cases where the plant and appliances are hired out for work during day only but are allowed to remain during night at the premises and in the custody of the hirer to suit the convenience of the Port, no extra charges for the night will be charged for, provided that the Traffic Manager, the Executive Engineer or the Mechanical Superintendent as the case may be certifies in writing to the effect that the retention of the plant at the hier's premises during the night was considered necessary and safe to do so, and the plant was not used during night.

Conditions of Hire

1. For the purpose of these rules.

(*a*) "day" means the period from 6 A.M. to 6 P.M. and "night" means the period from 6 P.M. to 6 A.M.

(*b*) "period of hire" means the period from the time the plant is made avaiable to the hirer till it is actually returned to the Port.

2. Serial Nos. 2, 3, 6, 10, 11 and 12 of the above table shall not be hired except with the Port crew, and the charges set out in the table include the cost of the services of the crew and of fuelt

3. When Port plant and appliances are requisitioned for a specified number of hours but are used not continuously but at different times to suit the convenience of the Port or due to circumstances beyond the control of the parties concerned, charges will be calculated as if the hire was for a continuous period, by totalling up the broken periods of work, instead of rounding off each spell of work separately, provided a certificate to this effect is produced from the Port's Traffic Manager or the Executive Engineer or the Mechanical Superintendent as the case may be.

4. The hire charges prescribed in respect of Fire Float under item 10 including the services of the tug towing the Fire Float and the two pumps attached to the Fire Float. Any additional pump used shall be charged for extra at the prescribed rate.

5. If a requisition is cancelled in writing or if the services of the plant or appliances requisitioned for use are not utilised, the lowest hire charges payable in respect of the respective items shall be recovered from the party requisitioning the services of the plant or appliances. The Administrative officer may, however, at his discretion, waive the charges, if the written notice of cancellation of requisition is received before action has been taken by the Port to comply with the requisition. No charges will be levied if to suit its convenience, the port does not supply the plant or appliance at the time requisitioned for.

6. The Port undertakes no responsibility for any loss of life or property or for any damage to person or property, which may be directly or indirectly due to the failure at any stage of such plant or appliances.

7. Where plant or appliances are worked or used by the hirer or by his servants or Agents, the hirer shall be responsible for making good all losses or damages sustained to Port proprerty other than those due to fair wear and tear.

8. Plant and other port appliances may be let out on hire only when they can be spared from their port uses, and normally for use within the limits of the port.

9. In special cases where the Conservator of the Port permits the use of the plant and appliances outside the limits of the Port, the hire charges shall be determined in each individual case.

SECTION III

CHARGES FOR THE HIRE OF PORT'S TUGS AND LAUNCHES

A. Charge for the hire of Port's tugs

1. *S.T. 'Cochin'.*

(*a*) Services rendered to vessels paying berths hire for assisting them to *and from berth* .....Free.

(*b*) For towing vessels (other than assistance *to vessels paying berth hire*).

For towing in the inner *harbour*	For towing *in the outer haurbour*
Rs. 135/-	Rs. 148/8 per hour or part thereof during day.
Rs. 187/8	Rs. 206/4 per hour or part thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

(*c*) For assisting sea-going vessels in distress, *within Port limits.*

Amount of hire	Unit
Rs. 975/-	Per 6 hours or part thereof during day.
Rs. 1,350/-	Per 6 hours or part thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every period of six hours or part thereof which extends over both day and night.

(*d*) For assistance of non-sea-going vessels in distress within Port limits.

Amount of hire	Unit
Rs. 135/-	Per hour or part thereof during day.
Rs. 187/8	Per hour or part thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

NOTE.—The rates for other services including fire-fighting, salvage and services involving extraordinary risk will be determined by Government in each individual case on recommendations made by the Conservator of the Port.

2. *S.T. "Biccu"*

(*a*) For assisting sea-going vessels in distress within Port limits.

Amount of hire	Unit
Rs. 705/-	Per 6 hours or part thereof during day.
Rs. 975/-	Per 6 hours or prart thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every period of six hours or part thereof which extends over both day and night.

(*b*) For hire including hire for assistance to non-sea-going vessels in distress withi n port limits.

Rs. 97/8	Per hour or part thereof during day.
Rs. 135/-	Per hour or part thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

3. *Tug "Ramavarma"/Tug "Hussaniah"*

Hire including hire for assistance to non-sea-going vessels in distress within Port limits

Rs. 21/-	Per hour or part thereof during day.
Rs. 31/8	Per hour or part thereof during night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

Conditions for the hire of Port's Tugs—

1. In all cases where the Conservator of the Port decides that the tug should be insured for the period of hire, the owner or owners or agents of the vessel in distress shall pay the insurance premium in respect of the tug plus twenty per cent. of the said premium.

2. In every case the actual cost of replacing any port property lost and repairing any damage done to Port property shall, unless the said loss or damage is covered by the aforesaid insurance be payable by the owner or owners or agents of the vessel in distress.

3. The tugs shall not be hired except with the Port crew, and the charges set out in the table include the cost of the services of the said crew and of fuel.

4. The Port undertakes no responsibility for any loss of life or property or for any damage to person or property which may be directly or indirectly due to the failure at any stage of the tugs. The hirer shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

5. "Period of hire" means the period commencing from the time the tug leaves her moorings or previous duty, whichever is later, to the time she returns to her moorings or attends to subsequent duty whichever is earlier.

6. "Day" means the period from 6 A.M. to 6 P.M. and "night" means the 'period from 6 P.M. 6 A.M.

7. If the services of the tug are made available not continously but at different times to suir the convenience of the Port or due to circumstances beyond the control of the parties concerned, charges will be calculated by totalling up the broken periods of work and treating them as one continuous period upto the time the tug finally returns to her moorings or attends to subsequent duty.

8. The tugs may be let out on hire only when they can be spared from their port uses and at the discretion of the Port Authority.

B.—*Hire of Port Launches, including hire for assistance to vessels in distress within port limits.*—

Serial No.	Name of Launch	Rate per vessel assisted
1	M.L. "Pilot"	Rs. 15/- per hour or part thereof during day. Rs. 22/8/- per hour or part thereof during night.
2	M.L. "Bertha"	Rs. 7/8/- per hour or part thereof during day. Rs. 11/4/- per hour or part thereof during night.
3	M.L. "Vypeon"	
4	M.L. "Gundu"	
5	M.L. "Chitra"	
6	M.L. "Survey"	Rs. 9/6/- per hour or part thereof during day. Rs. 14/1/- per hour or part thereof du — night.
7	M.L. "Malabar"	
8	M.L. "Darothea"	
9	M.L. "Leonore"	
10	M.L. "Vasco"	Rs. 5/- per hour or part thereof during day. Rs. 7/8- per hour or part thereof during night.

Conditions of Hire

1. In the above table "day" means the period from 6 A.M. to 6 P.M. and "night" means the period from 6 P.M. to 6 A.M.

2. When a period of hire covers both day and night charges for the hour that extends over both day and night shall be levied at the rates prescribed for night.

3. The launches shall not be hired except with the Port crew, and the charges set out include the cost of the services of the said crew and of fuel.

4. Launches may be let out on hire only when they can be spared from their port uses, and at the discretion of the Port Authority.

5. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the Port launches during the period of hire. The hirer shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

6. "Period of hire" means the period commencing from the time the launcuh leaves her moorings or previous duty whichever is later, to the time she returns to her mooring or attends subsequent duty whichever is earlier.

7. If the services of the launches are made available not continuously but at different times to suit the convenience of the Port or due to circumstances beyond the control of the parties concerned charges will be calculated by totalling up the broken periods of work and treating them as one continuous period up to the time the launches finally return to their mooring or attend to sub sequent duty.

SECTION IV

RULES REGARDING TRANSIT DUES AND TRANSIT ACCOMMODATION FOR IMPORTS TRANSHIP GOOD AND EXPORTS

(N.B.—A Surcharge of 33 1/3 per cent. shall be levied on all the rates mentioned in this Section except on the storage charges in item (9) of schedule A in Part I below).

Part I — Import and Tranship Goods.

1. (*a*) Transit dues are chargeable on import goods left in the Port premises after the expiry of the free storage period at the rates prescribed in the Schedules below subject to a minimum charge of two annas on any one consignment *i.e.*, goods covered by a single import application.

1 (*b*) Tranship good shall be allowed free storage in the transit accommodation provided for the class of goods in question for six days excluding Sundays and Holidays reckon from the last day of discharge of the wharf, cargo by the vessel from which the goods were landed or from the last day of discharge at the wharf in the case of boated cargo, in addition to the days the vessel by which the goods are transhiped remains in Port.

A.—Schedule of Transit dues on Imports.

Classification	How charged	Rs.	a.	p.
1. Goods on which landing fees and wharfage are fixed on weight or measurement	For goods lying un-cleared and in the Transit shedsor in open space.			
*(*a*) Consignments, actually landed, whose weight or measurement covers 50 tons and over.	Per ton per day 1st week .	0	2	0
	2nd week	0	4	0
	Succeeding period . . .	0	6	0
*(*b*) Consignment actually landed, whose weight or measurement covers 10 tons and over but less than 50 tons . .	per ton per day 1st week .	0	4	0
	2nd Week	0	8	0
	Succeeding period . . .	0	12	0
*(*c*) Consignments actually landed, whose weight or measurement covers less than 10 tons	Per ton per day Ist week . .	0	8	0
	2nd Week	1	0	0
	Succeeding period . . .	1	8	0
(*d*) Liquids on which the rate of landing and shipping feeds is fixed on a gallonage basis	Per ton (equivalent to 216 gallons per day). 2nd Week. Succeeding period.	As per item 1 (*a*) to (*c*).		

NOTES:—

* 1. For determining the above classification all fractions of a ton exceeding 3/4 ton shall be reckoned as one ton.

2. For determining the rates on fractions of tons, the same method as for calculating landing and shipping and wharfage will be adopted.

Classification	How Charged	For goods lying un cleared in the Transit sheds or open space
2. Goods on which the rate of landing fees and wharfage and shipping is fixed "per each" or by number.	Per package per week or part of a week.	1st week.—25 per cent. of the landing fees & wharfage. 2nd week.—50 per cent. of the landing fees & wharfage. Succeeding weeks.—100 per cent. of the landing fees & wharfage.
3. Dangerous goods, *viz.*, matches, sulphur, glycerine, pitch, acids other than sulphuric, nitric, carbolic, muriatic and hydrocaloric, nitrate of potash and other similar alkalies landed and stored at the wharf.		Transit dues at double the rates as per item 1 above.
4. Sweepings collected on board . .	..	Transit dues as applicable according to above classifications.
5. Goods from unknown vessels . .		Transit dues up to a maximum of two months only.
6. Salved goods		Transit dues as per item 1 above.
7. Overcarried cargo		Transit dues will be charged at the rate applicable to the original consignment.

1	2
8. Packages which have been landed empty or partly empty.	Transit dues as applicable according to the above classifications.
9. Uncleared goods left lying in the Transit Sheds or open spaces for over four months pending disposal either by clearance or sale.	Transit dues for four months and storage charges thereafter at the following rates upto and including the date of clearance or sale.

Description of goods		Storage charges				
		Rs.	As.	Ps.		
(i) Bags and bales	Each	0	0	3	Per day or part of a day.	
(ii) Cases & crates	,,	0	0	6		
(iii) Casks, kegs, drums & jars	,,	0	0	6		
(iv) Carriages and motor cars.	,,	0	6	0		
(v) Machinery, unpacked.	Per ton or part thereof	0	8	0		
(vi) Articles not enumerated	Per Cwt.	0	0	3		

B.—Schedule of Transit dues on Tranship goods.—

Classification	Dues leviable
(i) Goods originally manifested at the Port of Shipment for transhipment at Cochin. (ii) Goods not originally manifested for transhipment at Cochin but meant for other ports, landed at this Port but reshipped later, provided the prior written permission of the Port's Traffic Manager for reshipment of the goods is obtained before landing the said goods.	As per item I to III of the Schedule of Transit Dues on Exports.

2. Free storage in the Port's transit accommodation at the Willingdon Island wharf will be allowed on wharf cargo for four days in addition to Sundays and holidays reckoned as follows :—

(a) Cargo landed direct	Commencing from the day following the day of completion of discharge of the cargo by the vessel concerned.
(b) Cargo boated to the wharf from ships in stream	Commencing from the day following the day of completion of discharge of the cargo at the wharf.
(c) Goods short-landed and over-carried to another port but brought back to Cochin.	Commencing from the day of completion of discharge by the vessel bringing the cargo back.
(d) Salved goods	Commencing from the day following the notification of salvage by the Receiver of Wreck.

NOTE :—

In addition to the above free days, the following periods shall be allowed free storage :—

(a) Any period during which the Head of the Customs Department at the Port certifies that the goods were detained by him for examination under section 32 or for tests under section 194 and 195 of the Sea Customs Act, 1879 (VIII of 1879) other than for the ordinary process of appraisement and that the detention was not attributable to any fault or negligence on the part of importers.

(*b*) Any period during which the Port is unable to trace the package owing to congestion of accommodation wrong sorting or incorrect tallying :

This period will be reckoned from the day of the receipt of the enquiry for the package in the Office of the Wharf Superintendent to the day succeeding that on which the package is traced out which fact will be announced by a notice affixed to the notice board in the concerned transit shed.

(*c*) Any period during which goods are detained by the Health Officer or any other Officer duly authorised in this behalf by the Administrative Officer, Cochin Harbour before being destroyed.

3. Goods detained for survey and actually certified to have been surveyed, either by the Steamer Agents or the Administrative Officer Cochin Harbour, shall be allowed free storage accommodation for a period not exceeding twenty one days (in addition to Sundays and holidays) from the day following the complete discharge of the wharf cargo by the vessel :—

Provided that—

(*a*) the application for survey giving full details of the quantity, description, marks and numbers of goods to be detained for survey is received by the Traffic Manager within the free days prescribed in rule 1 above ;

(*b*) the actual survey is completed within the twentyone days thus allowed ; and

(*c*) such goods are removed on or before the working day following that on which the survey was completed.

NOTES :—

(*i*) In respect of goods surveyed on the last free day, no transit dues will be levied if such goods are removed on the next working day succeeding that on which they were surveyed.

(*ii*) In the case of salved goods detained for survey, the twentyone days excluding Sundays and holidays shall be calculated from the day following the notification of salvage by the Receiver of Wrecks.

4-A. After the expiry of the free storage period, import goods are liable to be moved at the discretion of the Traffic Manager. In cases where the moving takes place charges at the following rates shall be levied, except in cases specified in Rule 4-B.

(1) Within transit sheds of open transit accommodation . . 10 annas per ton.

(2) From the transit sheds to the open transit accommodation or *vice versa* . . . . . 10 annas per ton.

(3) From the Transit sheds or the open transit accommodation to other sheds or to the import warehouses or to the open storage area . . . . . Rs. 1/14/- per ton.

4-B. In the case of goods which are charged landing and Shipping Fees on the basis of a unit of 54 gallons or "each" removing charges shall be levied as follows :—

	For removals covered by items (1) & (2) of Rule 4-A above			For removals covered by item (3) of Rule 4-A above		
	Rs.	a.	p.	Rs.	a.	P.
1. For 54 gallons	0	2	6	0	7	6
2. Motor cars, each	2	0	6	4	8	6
3. Motor cycles with or without side car, each	0	12	6	2	0	6
4. Bycycles, each	0	5	0	0	10	0
5. Rickshaws, each	0	7	6	0	15	0
6. Other carriages, each	0	12	6	2	0	6

5. Transit dues shall not be charged on goods landed in excess of the original manifested quantity provided that they are cleared within 30 days including Sundays and holidays from the day of submission by the Port of the out-turn statement of a vessel from which excess landed goods are landed.

6. In the case of goods ready for despatch by rail within the free period for which requisitions for railway wagons have been made during that period, but which are not removed by rail owing

to non-supply of railway wagons and consequently incur transit dues for the second and succeeding weeks, transit dues for the entire period may be levied at the lowest rate applicable to the particular consignment.

7. Goods shall not be delivered until landing fees, wharfage, transit dues and any other charges, leviable under the rules have been paid and the receipt therefor presented to the transit shed clerk.

8. (*a*) The Port assumes custody of import goods except those on which landing fees are not paid, from the time they are landed till the expiry of the free period allowed for storage of such goods in the Port's premises.

(*b*) The Port assumes custody of tranship goods except on those on which landing fees are not paid for four days excluding Sundays and holidays reckoned from the commencement of the free period of storage allowed for such goods.

PART II—EXPORTS

1. No goods shall be brought into the Port's transit accommodation for shipment without the previous permission in writing of the Traffic Manager or an officer duly authorised by him in this behalf. All goods so brought shall be allowed free storage in the transit accommodation provided for the class of goods in question for six days, in addition to Sundays and holidays, from the actual day of receipt of the goods in the wharf premises in addition to the days the vessel in which shipment is effected remains in Port or in the case of salved goods for six days excluding Sundays and holidays from the day on which the goods are actually salved.

2 (*a*) No free days shall be allowed on goods brought into the Port premises and removed there from without a definite attempt at shipment having been made by the shipper, if such cargo is however not removed within 24 hours of the departure of the vessel by which the goods were intended for shipment, transit dues shall be levied at the highest rate in the schedule for the entire period upto and including the day of removal or shipment by a subsequent vessel.

(*b*) Intended shipments which have been shut out through no fault of the shipper shall, if removed from the premises, receive the benefit of the free period as if they were shipped plus 24 hours in addition to Sundays and holidays after the departure of the vessel which shuts out the cargo. If such goods are not removed within the period aforesaid, transit dues at the schedule rates shall be levied from the time the goods were placed in the Port premises upto and including the day of removal or subsequent shipment.

(*c*) Goods brought into the Port premises for shipment by a vessel and not shipped owing to the non-arrival of the vessel shall be given free storage for six days in addition to Sundays and holidays from the actual date of receipt of the goods in the Port premises. Transit dues at the schedule rate will be levied thereafter upto and including the day of removal or shipment by a subsequent vessel.

3. After the expiry of free days transit dues shall be levied at the rates prescribed in the following schedule upon all goods left in the port premises, subject to a minimum charge of two annas on any one consignment, i.e., the goods covered by one export application.

Schedule of transit dues on Exports.

Classification	How charged		For goods lying in the transit sheds or in the open space
			Rs. a. p.
*I. (*a*) General cargo	Per ton per day	1st week	0 1 0
		2nd week	0 2 0
		Succeeding period	0 4 0
(*b*) Goods on which the rate of shipping fees is fixed "per each".	Per package per week or part of a week.	1st week	25% of the shipping fees and wharfage.
		2nd week	50% of the shipping fees and wharfage.
		For each succeeding week.	100% of the shipping fees and wharfage.
II. Salvage goods	Same as under I above.		
III. Shut out goods.	Do.		

*N. B. (1).—For determining the above classification all fractions of a ton exceeding 3/4 on shall be reckoned as one ton.

(2) For determining the rates on fractions of tons, the same method as for calculating landing and shipping fees and wharfage will be adopted.

4. Goods placed in spaces which are not intended as spaces to be occupied by goods in transit may be charged at the maximum transit dues imposed and no free time shall be claimable. Such goods may be removed by the Traffic Manager or an officer authorised by him in this behalf at the expense and risk of the owners or consignees to one of the spaces rprovided for goods in transit.

5. The Port does not assure any custody of or responsibility for export goods.t They remain in the transit accommodation in the custody and at the sole risk and responsibility of the cranes or steamer agents as the case may be.

PART III—GENERAL

1. After transit dues begin to accrue no allowance shall be made for Sundays and holidays.

2. If at any time the administrative Officer should apprehend a serious congestion in the transit sheds or other space allotted for goods in transit to the detriment of the rapid transport of goods through the port, he may direct the owners or consignees of any specified goods to remove such goods from the transit accommodation within a given time. Goods not removed within that time may be charged, with transit dues not exceeding Rs. 10 per ton *per diem* until their removal and if on the imposition of such charge the goods are not removed, he may cause them to be removed from the transit sheds or other spaces at the expense of the owners and may stack them in any open space within the port at the risk of the owners.

3. The Administrative Officer, Cochin Harbour, may in special cases, remit the whole or any portion of the charges leviable under these rules.

4. "Day" for the purposes of these rules shall mean the period from 12 midnight on one day to 12 midnights on the succeeding day.

5. For the purpose of there rules "holiday" shall mean any day declared to be a holiday by the Administrative Officer, Cochin Harbour.

SECTION V

MISCELLANEOUS CHARGES

(1) *Hire of Trays Tarpaulins and Slings*

Name of plant or appliance	Amount of hire rate	Unit
	Rs. a. p.	
Trays for tea cases	4 8 0	Per tray per day or part thereof.
Tarpaulins	1 8 0	per tarpaulin per day or part thereof.
Slings :—		
Capacity 1½ tons . . .	2 4 0	Per sling per day or part thereof.
,, 3 ,, . .	4 8 0	,,
,, 10 ,, . . .	9 0 0	,,
,, 20 ,, . . .	15 0 0	,,
,, 30 ,, . . .	22 8 0	,,

NOTES

1. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the trays, tarpaulin and slings during the period of hire. The hirer shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

2. For the purpose of recovery of the fees for hire specified above the expression "day" shall mean the period from 6 a.m. on one day to 6 a.m. on the next day.

3. No refund of hire charges shall be allowed in case a notice of cancellation of requisition is not sent to the Traffic Manager in writing so as to reach him at least 2 hours prior to the commencement of the period of hire.

(2) *Charges for the use of the Lister Auto-Truck.*

1. Charges at the Port of Cochin for the use of the Lister Auto-Truck shall be levied as under :—

Per hour or part thereof . . . . . Rs. 3-12-0

2. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the Auto-Truck during the period of hire, and the hirer shall be liable to indemnify the Port against all loss or damage.

(3) *Charges for the use of the Willingdon Island Wharves by Small Craft.*

Description of craft	Rate per day or part thereof	Per calendar month or part thereof if a permit is obtained in advance
	Rs. a. p.	Rs. a. p.
1. Wallums	0 3 0	3 12 0
2. Lighters and Barges . . .	0 6 0	7 8 0
3. Landing craft tugs and motor launches.	1 8 0	30 0 0

Provided that craft solely engaged in transporting import or export cargo on which landing and shipping fees at the wharf rates are payable or tugs and motor launches touches at the wharves for purposes other than loading or unloading shall be exempt from the payment of the said charges.

NOTE.—" Day " means the period from 6 A.M. on one day to 6 A.M. on the next day.

(4) *Charges for the use of the Port's Timber Pond.*

1. Charges at the Port of Cochin for the use of the Timber Pond at the Willingdon Island Shallow Wharf shall be levied as under :—

For storage of timber . . . . . Three pies per log per day or part thereof.

2. The hirer shall supply the necessary labour.

3. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the timber pond and the hirer shall be liable to indemnify the Port against all loss or damage.

4. For the purpose of these rules, the expression " day " shall mean the period from 6 A.M. on one day to 6 A.M. on the next day.

(5) *Charges for Towing Sailing Vessels.*

(1) For towing between the Pattimar Anchorage No. 1 (near Vimanativu) and outer roads. Rs. 60 per each operation.

(2) For towing between the Pattimar Anchorage No. 1 and the Pattimar Anchorage No. II (at the South and of Mattanchori Channel). Rs. 21 per each operation.

(3) For towing between the Pattimar Anchorage No. II and the outer roads. Rs. 75 per each operation.

(4) For towing between the Willingdon Island Wharves and outer roads. Rs. 60 per each operation.

(5) For towing between the Willingdon Island Wharves and either the Pattimar Anchorage No. I or the Pattimar Anchorage No. II Rs. 15 per each operation.

NOTE.—The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the tug during the period of hire. The hirer shall indemnity the Port against all loss or damage except loss or damage due to fair wear and tear.

SECTION VI

RATES FOR THE USE OF STORAGE SPACE

I. *Warehouses*:

(1) Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf for periods not exceeding one year.	Rs. 12-8-0 per 100 sq. ft. or less per calendar month or part thereof.
(2) Under leases for periods ;	
(a) Exceeding one year but not exceeding three years.	Rs. 11-4-0 per 100 sq. ft. or less per calendar month or *pro-rata* for part thereof.
(b) Exceeding three years but not exceeding five years.	Rs. 11/- Do.

II. *Sheds Except "M" Shed at the Low Wharf* :

(1) Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf for periods not exceeding one year.	Rs. 10/- per 100 sq. ft. or less per calendar month or part thereof.
(2) Under leases for periods :	
(a) Exceeding one year but not exceeding three years.	Rs. 9 per 100 sq. ft. or less per calendar month or *pro-rata* for part thereof.
(b) Exceeding three years but not exceeding five years.	Rs. 8-12-0 per 100 sq. ft. or less per calendar month or *pro-rata* for part thereof.

III. *'M' Shed at the Low Wharf.*

Under permits issued by the Conservator or any other Officer authorised by him in this behalf for periods not exceeding one year.	Rs. 12-8-0 per 100 sq. ft. or less per calendar month or part thereof.

NOTES—

1. If, in order to suit the convenience of the port, a permit is granted for fractions of a calendar month or if the permit is revoyed in the course of a calendar month, rent for the actual period of occupation will be charged on a pro-rate basis.

2. The rates mentioned in sub-items (1) and (2) of Items I and II above apply only to the storage of wharf import or wharf export goods. When goods other than wharf import or wharf export goods are stored within the wharf premises in accommodation leased specifically for the storage of wharf import or export goods an additional rent at a rate equal to the wharfage rate fixed for the class of goods concerned shall also be levied. The storage of such goods will be allowed only in exceptional cases at the sole discretion of the Traffic Manager and with his prior written permission. No Services will be rendered by the port in respect of such goods.

SECTION VII

RULES FOR THE USE OF COVERED OR OPEN SPACE IN THE WHARF PREMISES AT PORT COCHIN BELONGING TO THE PORT OF COCHIN

1. The following rules shall apply to all goods including personal effects landed at or brought for shipment to the Port's godowns at Fort Cochin.

2. Goods other than bag cargo shall be allowed to remain free of charge for six working days and bag cargo for three working days in addition to Sundays and holidays reckoned from the date of completion of Steamer's discharge in the case of imports and from the actual day of the receipt of the goods in the premises in addition to the days the vessel in which shipment is effected remains in port in the case of exports. In calculating the free period, the day of landing and the day of clearance in respect of imports and the day of receipt and the day of shipment in the case of exports will also be reckoned as free days.

NOTE—

In addition to the above free days, the following periods shall be allowed free storage.—

(a) Any period during which the Head of the Customs Department at the Port certifies that the goods were detained by him for examination under section 32 or for tests under sections 194 and 195 of the Sea Customs Act, 1879 (VIII of 1879) other than for the ordinary process of appraisement and that the detention was not attributable to any fault or negligence on the part of importers.

(b) Any period during which goods are detained by the Health Officer or any other officer duly authorised by the Administrative Officer, Cochin Harbour, in this behalf, before being destroyed.

3. (a) No free days shall be allowed on goods brought into the Port godowns at Fort Cochin and removed therefrom without a definite attempt at shipment having been made by the shipper ; if such cargo is however not removed within 24 hours of the departure of the vessel by which the goods were intended for shipment, rent shall be levied at the highest rate in the schedule for the entire period upto and including the day of removal or shipment by a subsequent vessel.

(b) Intended shipments which have been shut out through no fault of the shipper shall, if removed from the godowns receive the benefit of the free period as if they were shipped plus 24 hours, excluding Sundays and holidays after the departure of the vessel which shuts out the cargo. If such goods are not removed within the period aforesaid rent at the schedule rates shall be levied from the time the goods were placed in the godowns upto and including the day of removal or subsequent shipment.

(c) Goods brought into the Port godowns at Fort Cochin for shipment by a vessel and not shipped owing to the non-arrival of the vessel shall be given free storage as per Rule 2 above from the actual date of receipt of the goods in the Port's godowns. Rent at the schedule rates will be levied after the expiry of the free period upto and including the day of removal or shipment by a subsequent vessel.

(4) After the above free period, rent will be charged during the first week at the rates given in the schedule below. After the first week, twice the rates will be charged during the second week and thrice the rates during the third and succeeding weeks in respect of cargo other than bag cargo. For bag cargo rent at thrice the rates in the Schedule will be charged for the second and succeeding weeks.

SCHEDULE

Description of packages	Rate per day.
	A. P.
(1) Bags and Bales—	
Small, not weighing more than 350 lbs.	0 2
Large, weighing more than 350 lbs.	0 3
(2) Cases and Crates—	
Not exceeding 2 cubic feet	0 1
Over 2 and not exceeding 6 cubic feet	0 2
Over 6 and not exceeding 17 ,,	0 3
Over 17 and not exceeding 25 ,,	0 6
Over 25 and not exceeding 50 ,,	0 9
Above 50 cubic feet	1 0
(3) Casks, Kegs, drums and jars—	
If contents are liquid:	
Not above 30 gallons capacity	0 3
Above 30 gallons and not above 60 gallons capacity	0 6
Above 60 gallons capacity	0 9
If contents are solid or semi solid such as paints, alizarine, cement, chalk, tar, pitch, etc.—	
Not exceeding one foot in height	0 1
Above 1 and not exceeding 3 feet in height	0 2
Above 3 and not exceeding 4 feet in height	0 3
Above 4 and not exceeding 5 feet in height	0 5
Above 5 feet in height	0 6

1	2
	A. P.
(4) Metals, of all kinds, including pipes and tubes, copper yellow metal sheets hardware, also loose articles, such as bricks, tiles, stones, marble slabs, rattan (in bundles), shovels (in bundles) etc. per cwt.	0 2
(5) Carriages and motor cars, each	6 0
(6) Machinery unpacked per cwt.	0 3
(7) Combustibles	*
(8) Valuables, *viz.* bullion, silver lametta thread, jewellery and silver goods	@
(9) Timber per ton of 50 cubic feet	0 5
(10) Articles not enumerated, per cwt.	0 2

* Treble the rates quoted for cases, and crates of similar size.

@ Quadruple the rates shown for cases and crates of similar size.

5. No free period shall however be allowed in respect of goods free of shipping fees.

6. The lowest charge payable under these rules will be one anna.

7. The Administrative Officer, Cochin Harbour may in special cases, remit the whole or any portion of the charges leviable under these rules.

8. The Port does not assume any custody or a responsibility for goods. They remain on port premises in the custody and at the sole risk and responsibility of the owners or steamer agents as the case may be.

9. The Port does not undertake to supply any labour for handling goods in and out of the warehouses and the parties concerned should supply their own labour.

10. "Day" for the purposes of these rules shall mean the period from 12 midnight on one day to 12 midnight on the succeeding day.

11. "Holiday" for the purposes of these rules shall mean any day declared to be holiday by the Administrative Officer, Cochin Harbour.

12. Whenever covered or open storage space at the Fort Cochin Wharf is let out on permit by the Port for the storage of import or export cargo paying landing or shipping fees, the following rates of rent shall be levied —

(1) *Covered Storage*

Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf, for periods not exceeding one year.	Rs. 12-8-0 per 100 sq. ft. or less per calendar month or part thereof.

(2) *Open Space*

Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf, for periods not exceeding one year.	Rs. 15 per 1000 sq. ft. or less per calendar month or part thereof.

NOTES.—(*a*) If, in order to suit the convenience of the Port, a permit is granted for a fraction of a calendar month or if the permit is revoked in the course of a calendar month, rent for the actual period of occupation shall be charged on a pro-rate basis.

(*b*) Storage of goods other than import or export goods paying landing or shipping fees will not be permitted within the Fort Cochin wharf premises except with the prior written permission of the Traffic Manager which will be granted in exceptional cases at his sole discretion and on payment of an additional rent at a rate equal to the wharfage fixed for the class of goods concerned in the Port's Scale of Rates.

[No. 6-PII(28)/55]

K. BALAKRISHNAN, Under Secy.

MINISTRY OF COMMUNICATIONS

New Delhi, the 14th November 1956

S.R.O. 2759.—In pursuance of sub-rule (5) of rule 430 of the Indian Telegraph Rules, 1951, the Central Government hereby specifies 16th day of December 1956, as the date on which message rate system will be introduced at Vijayawada Telephone Exchange.

[No. PHA 48-1/55.]

S.R.O. 2760.—In pursuance of sub-rule (5) of rule 430 of the Indian Telegraph Rules, 1951, the Central Government hereby specifies the 16th day of December 1956, as the date on which message rate system will be introduced at Salem Telephone Exchange.

[No. PHA 165-10/56-PHA.]

(Posts and Telegraphs)

New Delhi, the 13th November 1956

S.R.O. 2761.—In exercise of the powers conferred by the Indian Post Office Act, 1898, (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

Rule 194-A of the said Rules shall be omitted.

[No. MD.1-12/56.]

V. M. BHIDE, Dy. Secy.

New Delhi, the 19th November 1956

S.R.O. 2762.—In exercise of the powers conferred by section 44 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby makes the following amendment to the Air Corporations Rules, 1954, namely:—

In the proviso to rule 45, after the words 'Central Government' for the full stop, a comma shall be substituted and after the comma so substituted the following shall be added namely:—

'or on the expiry of thirty days from the date of receipt of intimation' of such resignation, whichever is earlier'.

[7-CA(8)/56.]

M. DAYAL, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 12th November 1956.

S.R.O. 2763.—In exercise of the powers conferred by sub-section (1) of section 6 of the Administration of Evacuee Property Act. 1950 (XXXI of 1950), the Central Government in consultation with the Custodian General of Evacuee Property, hereby appoint, for the State of Delhi, Shri P. C. Bhatnagar, Settlement Officer, in the Office of the Addl. Regional Settlement Commissioner, Delhi, as Assistant Custodian of Evacuee Property for the purpose of performing the duties imposed by or under the said Act, with effect from the 1st September, 1956.

[No. XVI-21(51)/56-Prop.II.]

J. J. KARAM, Under Secy.

New Delhi, the 13th November 1956

S.R.O. 2764.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954. (44 of 1954), the Central Government hereby appoints Shri J. M. Bannerjee an Assistant Settlement Officer for the purpose of performing the functions assigned to such

officer by or under the said Act, with effect from the date he took charge of his post.

[No. 7/26/56-S.II-Pt.III.]

S.R.O. 2765.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints Shri R. P. Singh, Additional Settlement Commissioner, Bihar to perform the functions assigned to Settlement Commissioner by or under the said Act.

[No. 5/8/56-SII.]

New Delhi, the 14th November 1956

S.R.O. 2766.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Aridalan Singh as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

[No. 5/25/56-SII.]

New Delhi, the 15th November 1956

S.R.O. 2767.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Rattan Singh, Settlement Officer, to be Managing Officer for the custody, management and disposal of the Compensation Pool from the date he took charge of his office.

[F. 10/28/56-SII.]

S.R.O. 2768.—In exercise of the powers conferred by Sub-Section (1) of the Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950) the Central Government hereby appoints for the State of Bihar, Shri K. N. Sinha, Deputy Relief Commissioner as *ex-officio* Additional Custodian of Evacuee Property, for the purpose of discharging the duties imposed on the Custodian by or under the said Act, with effect from the 24th October, 1956.

[No. XVI-1(14)/56-Prop.II.]

S.R.O. 2769.—In Column (5) of Serial No. (3) of the table below this Ministry's Notification No. XVI-1(26)/56-Prop.II dated the 31st October, 1956, please *read* '30th November, 1956' *for* '10th November, 1956' occurring therein.

[No. XVI-1(26)/56-Prop.II.]

New Delhi, the 16th November 1956

S.R.O. 2770.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Sarvottan Diesh an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. F.7/26/56-S.II Pt.III.]

S.R.O. 2771.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S. B. Lal as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

[No. 3/15/56-SII.]

New Delhi, the 17th November 1956

S.R.O. 2772.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954

(No. 44 of 1954), the Central Govt. hereby appoints Shri Kulwant Singh as Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act, with effect from the date he took charge of his office.

New Delhi, the 19th November 1956

S.R.O. 2773.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, (44 of 1954), the Central Government hereby appoints Shri P. R. Narang an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. F.7/26/56-SII-Pt.II.]

New Delhi, the 24th November 1956

S.R.O. 2774.—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints each of the following officers, to be the Managing Officers for the custody, management and disposal of Compensation Pool.

1. Shri S. S. Joshi, Assistant Custodian of Evacuee Property.
2. Shri L. S. Vyas, Assistant Custodian of Evacuee Property.

New Delhi, the 14th November 1956

S.R.O. 2775.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government, in consultation with the Custodian General, hereby appoint, for the State of Himachal Pradesh, Shri Kunj Behari Srivastava, Secretary (Judical) to the Government of Himachal Pradesh, as Custodian of Evacuee Property, with effect from the 26th September 1956, for the purpose of discharging the duties imposed by or under the said Act.

[No. XVI-12(3)/55-Prop.II.]

MANMOHAN KISHAN, Under Secy.

ORDER

Office of the Chief Settlement Commissioner

New Delhi, the 24th November 1956

S.R.O. 2776.—In exercise of the powers conferred by sub-section (2) of section 35 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) I, Shri Nagendra Bahadur, Chief Settlement Commissioner, hereby authorised Shri G B. K. Hooja, Regional Settlement Commissioner, Indore/Bhopal to make a complaint in writing in a court of Law against such person who furnishes in his application for payment of compensation or in declaration under chapter X of the Displaced persons (Compensation and Rehabilitation) Rules, 1955 any information which he knows or has reasons to believe to be false or which he does not believe to be true.

[No. F.12(31)Comp.IV/56 (B).]

NAGENDRA BAHADUR,

Chief Settlement Commissioner.

DELHI DEVELOPMENT PROVISIONAL AUTHORITY

New Delhi, the 16th November 1956

S.R.O. 2777.—In exercise of the powers conferred by section 19 of the Delhi (Control of Building Operations) Act, 1955 (53 of 1955), the Delhi Development Provisional Authority, with the previous approval of the Central Government hereby makes the following amendments to the Delhi (Control of Building Operations) Regulations published with notification of the Government of India, Ministry of Health No. F.30-8/55-LSG., dated the 11th November, 1955 namely—

After Chapter III of the said Regulations the following Chapter IV shall be added to the said Regulations.

CHAPTER IV

CONDITIONS OF SERVICE OF OFFICERS AND SERVANTS OF THE AUTHORITY

7. (1) *Classification of posts.*—The services or posts under the Authority shall for purposes of control, appointment and discipline be classified as under:—

Name of category of post	*Classification*
(1) Executive Engineers and Assistant Secretary.	Class I
(2) Administrative Officer and Assistant Engineers.	Class II
(3) Superintendents, Head Assistants, Building Inspectors, Sectional Officers (Overseers), Kanungo, Upper & Lower Division Clerks and other ministerial posts.	Class III
(4) All posts whose pay (if fixed) or maximum pay in the prescribed scales does not exceed Rs. 60 p.m.	Class IV

Provided that the above classification shall not apply to Government servants and others on deputation to the Authority who shall retain the classification applicable to them under Government or parent organization.

(2) *First appointments.*—All first appointments to the services and posts under the Authority shall be made by the Authority named in column 2 of the schedule to regulation (8).

(3) *Grant of leave.*—The Authority competent to make first appointment to the services and posts under the Authority shall also be competent to grant leave to the members of those services and posts.

(4) *Conditions of services, pay & allowances etc.*—All other matters concerning the terms and conditions of service of officers and servants, whether permanent or temporary, their pay and allowances or additions to pay, the combination of appointments, the amount of leave, leave salary or acting allowance and the payment of travelling allowances, shall be regulated as under:—

(a) in the case of officers and servants who hold posts under Government or other body and are on deputation to the Authority—by the rules applicable to them in Government service or in their parent organization.

(b) in other cases—by the Central Government rules and orders applicable to officers and servants of equivalent status so far as they may be applicable.

(5) *Conduct of staff.*—The provisions of the Central Civil Services (Conduct) Rules, 1955, shall apply *mutatis mutandis* to the services and posts under the Authority, all references to Government and Central Government being construed as references to the Authority.

Provided that officers and servants who hold posts under Government or other body shall be governed by the rules applicable to them in Government service or their parent organization.

(6) (a) *Discipline and penalties.*—The appointing authority or any authority to which it is subordinate or any other authority empowered in that behalf may place an officer or servant of the Authority under suspension—

(i) where a disciplinary proceeding against him is contemplated or is pending or

(ii) where a case against him in respect of any criminal offence is under investigation or trial.

Provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(b) An officer or servant of the Authority who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority and shall remain under suspension until further orders.

(c) Where a penalty of dismissal or removal from service imposed upon an officer or servant of the Authority under suspension is, under Regulation (13) set aside in appeal or on review and the case is remitted for further enquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.

(d) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the Authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

(7) The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed upon officers and servants of the Authority namely:—

(a) Censure.

(b) Withholding of increments or promotion.

(c) Reduction to a lower service, grade or post or a lower time scale of pay, or to a lower stage in a time scale.

(d) Recovery from pay of the whole or part of any pecuniary loss caused to the Authority by negligence or breach of orders.

(e) Removal from the service of the Authority which does not disqualify from future employment.

(f) Dismissal from the service of the Authority which ordinarily disqualifies from future employment.

Explanation.—The termination of employment—

(a) of a person appointed on probation, during or at the end of the period of probation, in accordance with the terms of the appointment and the rules governing the probationery service; or

(b) of a temporary servant appointed otherwise than under contract, in accordance with rule 5 of the Central Civil Service (Temporary Service) Rules, 1949; or

(c) of a person engaged under a contract, in accordance with the terms of his contract, does not amount to removal or dismissal within the meaning of this rule.

(8) Subject to the provision of regulation (9) (c) below and to the condition that no officer or servant may be removed or dismissed or reduced in rank by an authority subordinate to that by which he was appointed, the authorities specified in column 3 of the Schedule to these regulations may impose the penalties specified in column 4 of that Schedule upon officers and servants of the Authority included in that Schedule.

(9) (a) No order imposing a penalty specified in regulation (7) other than an order of censure or an order based on facts which have led to his conviction in a criminal court, shall be passed against an officer or servant of the Authority unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of making any representation that he may desire to make and such representation, if any, has been taken into consideration before the order is passed:

Provided that the requirements of this regulation may, for sufficient reasons to be recorded in writing, be waived where there is difficulty in observing exactly the requirements of the rule and they can be waived without injustice to the person concerned.

(b) The authority imposing any penalty under these rules shall maintain a record showing:—

(i) the allegations upon which he proceeded against the person punished

(ii) the officer's representation, if any, and the evidence taken, if any;

(iii) the finding and the grounds thereof.

(c) Where the person to be punished has been lent to the Authority the power to impose any penalty shall not be deemed to have been delegated to any authority specified in the Schedule (and shall not be exercised by any authority) other than the lending authority; the Authority shall in a case where it considers that any penalty should be imposed, complete the inquiry and make a report to the lending authority for such action as that authority may consider necessary.

Explanation.—For the purposes of condition (c) the holder of a post borne for the purposes of recruitment on the cadre of a State service shall be deemed to have been lent by the Government of the State concerned to the Authority.

(10) *Appeals.*—Every officer or servant of the Authority shall be entitled to appeal, as hereinafter provided, from an order imposing upon him any of the penalties specified in regulation (7).

(11) An officer or servant of the Authority may appeal against an order of suspension to the authority to which the authority which made or is deemed to have made the order, is immediately subordinate.

(12) Members of services included in the Schedule to these regulations may appeal from orders passed in exercise of powers conferred by regulation (8) to the authorities specified in column 5 of that Schedule.

NOTE.—If, owing to the condition mentioned in regulation (8), the authority ordering the removal or dismissal of an officer is higher than the authority specified in column 3 of the Schedule, then the officer shall be entitled to appeal to the authority immediately superior to the authority imposing the penalty.

(13) The appellate authority shall consider—

(a) whether the facts on which the order was based have been established;

(b) whether the facts established afford sufficient ground for taking action; and

(c) whether the penalty is excessive, adequate or inadequate;

and after such consideration shall pass such order as it thinks proper.

(14) Every person preferring an appeal shall do so separately and in his own name.

(15) Every appeal preferred under these regulations shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal shall be addressed to the authority to whom the appeal is preferred and shall be submitted through the usual official channel.

(16) An appeal may be withheld by an authority not lower than the authority from whose order it is preferred,—if

(a) it is an appeal in which under these regulations no appeal lies, or

(b) it does not comply with the provisions of regulation (15); or

(c) it is not preferred within six months after the date on which the appellant was informed of the order appealed against, and no reasonable cause is shown for the delay; or

(d) it is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case;

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reasons for it;

Provided also that an appeal withheld on account only of failure to comply with the provisions of regulation (15) may be resubmitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and if resubmitted in a form which complies with those provisions, shall not be withheld.

(17) No appeal shall lie against the withholding of an appeal by a competent authority.

SCHEDULE

Title of Service of post	Authority empowered to appoint	Authority empowered to impose penalties and penalties which it may impose		Appellate Authority
		Authority	Penalties (see regulation (7)(a) Censure (b) Withholding of increments, etc. (c) Reduction to a lower service etc. (d) Recovery from pay etc. (e) Removal etc. (f) Dismissal	
1	2	3	4	5
Class I Posts.	Central Govt.	Central Govt.	All . .	Central Govt.
Class II posts.	D.D.P.A.	Member-Secy., D.D.P.A.	Censure and withholding of increments or promotion.	D.D.P.A.
		D.D.P.A.	Rest . . .	Central Govt.
Class III posts.	Member-Secy., D.D.P.A.	Asstt. Secy., D.D.P.A.	All except (a) reduction to a lower service, grade or post, or a lower time scale of pay, or to a lower stage in a time scale ; (b) Removal ; and (c) Dismissal.	Member-Secy. D.D. P.A.
		Member-Secy., D.D.P.A.	Reduction to a lower service, grade or post, or a lower time scale of pay, or to a lower stage in a time scale ; removal; or dismissal.	Chairman, D.D.P.A
Class IV Posts.	Member-Secy.. D.D.P.A.	Asstt. Secy., D.D.P.A.	All . . .	Member-Secy., D.D.P.A.

[No. F. 1(5) /56-Admn.]

G. MUKHARJI,—Secy.

MINISTRY OF LABOUR

New Delhi, the 20th November 1956

S.R.O. 2778.—In exercise of the powers conferred by sub-section (2) (iv) of section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), the Central Government hereby makes the following amendments in the Coal Mines Labour Welfare Fund Rules, 1949, the same having been previously published as required by sub-section (1) of the said section, namely:—

(1) In the said Rules:—After rule 7 the following rule shall be inserted, namely:—

"7A. *Power to invite persons to attend meetings.*—The Advisory Committee or its Chairman, may at any time and for such meeting or meetings as is considered necessary invite any person or persons to attend the meeting of the Committee. A member so invited shall exercise all the powers of a member under these rules except that he shall not be entitled to vote on any question coming before the committee.";

(2) in rule 9, after the words and figure "co-opted under rule 7", the words, figure and letter "or invited to attend a meeting of the Advisory Committee under rule 7A" shall be inserted.

[No. CLFR/AM/(MI-3(4)/55).]

S.R.O. 2779.—The following draft of certain amendments to the Coal Mines Labour Welfare Fund Rules, 1949, which the Central Government proposes to make in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), is published as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 8th December, 1956.

Any objection or suggestion which may be received from any person in respect of the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said Rules—

(1) in rule 12,

(a) in clause (c), the word "or" at the end shall be omitted;

(b) after clause (d), the following word and clause shall be added, namely:—

"or (e) if he ceases to represent the interests to represent which he was nominated."

(2) in rule 21,

(a) in proviso (ii) to sub-rule (1) and in sub-rule (2), for the words and figures, "Rs. 20,000 non-recurring and Rs. 2,500 per annum recurring", the words and figures, "Rs. 50,000 non-recurring and Rs. 5,000 per annum recurring" shall be substituted;

(b) in sub-rule (3), for the words and figures "Rs. 10,000 non-recurring and Rs. 1,000 per annum recurring", the words and figures "Rs. 20,000 non-recurring and Rs. 2,500 per annum recurring" shall be substituted.

[No. CMLWF. Am/MI-41(78)56.]

P. D. COMMAR, Under Secy.

New Delhi, the 20th November 1956

S.R.O. 2780.—Whereas it appears to the Central Government that the employees and the majority of the employees in relation to the Wittkop factory of Messrs. Sen and Raleigh at Canal South Road, Calcutta 15, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952) should be made applicable to such factory.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1, of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby applies the provisions of the said Act to the said factory.

[No. PF.57(11)/56.]

ERRATA

New Delhi, the 17th November 1956

S.R.O. 2781.—The following errata to the notifications of the Government of India in the Ministry of Labour No. SRO-2634 and 2635 dated the 8th November 1956 published at pages 2383-2406 and 2407 respectively of Part II, Section 3 of the Gazette of India Extraordinary dated the 8th November 1956, is published for general information:—

SRO -2634:

(1) *Clause* 4(7) *(f) (vi)*.

In the first line, for "if, in th opinion of th Cntral Government" read "if, in the opinion of the Central Government".

(2) *Clauses* 18(2) *(ii) (b), (c), and (d) and* 18(4):

For "Tally clerks" or "Tally clerk" wherever they occur, read "Tally and sorting clerks" or "Tally and sorting clerk" as the case may be.

(3) *Clause* 30(1) *(ii)*:

In the first line, for "maxdoors" read "mazdoors".

(4) *Clause* 37(1):

In the first line, for "Each" read "every".

(5) *Clause* 55(1):

In the second line, for "repeated" read "repealed".

(6) *Schedule II:*

(i) In the last entry of the first column on page 2405, for "rhe" occurring after "Average employment for" read "the".

(ii) In second line from top on page 2406, for "(,)" occurring after "11 months", read "(.)".

S.R.O.-2635:

Members representing the dock workers.

Shri P. W. Khandekar, shown as a representative of the Bombay Stevedores' and Dock Labourers' Union, should be treated as a representative of the Transport and Dock Workers' Union.

[No. DC-141].

R. C. SAKSENA, Under Secy.

CORRIGENDUM

New Delhi, the 16th November 1956

S.R.O. 2782.—In the Government of India, Ministry of Labour, Order No. SRO 1616 dated the 6th July, 1956, published at pages 1217-1219 of Part II, Section 3, of the Gazette of India dated the 14th July, 1956, the name of "Messrs. Binny & Co. Ltd." appearing in Schedule II, shall be deleted.

[No. LR-3(16)/56.]

A. L. HANDA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 13th November 1956

S.R.O. 2783.—It is hereby notified for general information that the following members of the Advisory Panel of the Central Board of Film Censors at Bombay retired under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, with effect from 1st October, 1956:—

1. Shri B. R. Dhurandhar.
2. Shri G. L. Chandavarkar.
3. Munshi M. M. Khan.
4. Rev. H. O. Mascarenhas.
5. Shri P. O. Upadhyaya.
6. Major General M. G. Bhandari.
7. Shrimati Gulli H. Kirpalani.

[No. 14/2/56-FC.

New Delhi, the 14th November 1956

S.R.O. 2784.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby direct that the film entitled "Who's Guilty?" produced by Messrs. Columbia Pictures Inc. U.S.A. shall be deemed to be uncertified film in the whole of India.

[8/19/56-FC].

New Delhi-2, the 17th November, 1956.

S.R.O. 2785.—In exercise of the powers conferred by section 8 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby makes the following further amendments in the Cinematograph (Censorship) Rules, 1951 namely:

(1) After rule 12 of the said rules, the following rule shall be inserted, namely:

*12 A. **Assessment of public reactions to films:** With a view to determining the principles to be observed in certifying films, the Board may arrange to asses public reactions to films.

(2) For rule 33 of the said rules, the following rule shall be substituted, namely:

"33. **Power of entry.**—The Chairman or any member of the Board or an Advisory Panel or a Regional or an Assistant Regional Officer or any other officer or member of the staff of the Board authorised in writting by the Chairman in this behlaf may enter any place licensed under the law in force relating to cinemas, in the discharge of his duties under the Cinematograph Act, 1952 or these rules."

[No. 5/5/56-FC-C.C.R.Am/18.]

ORDERS

New Delhi-2, the 13th November, 1956

S.R.O. 2786.—The Central Government hereby:

(a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting S.R.O. No. 3805 dated the 26th December, 1955 and in modification of Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 2371 dated the 15th October, 1956 that the Advisory Panel of the Central Board of Film Censors at Bombay shall consist of 35 members with effect from 21st October, 1956.

(b) notified for general information that Shri P. V. Gadgil a member of the advisory Panel of the Central Board of Film Censors at Bombay retired under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951 with effect from 21st October, 1956.

[No. 14/2/56-FC.]

New Delhi-2, the 15th November 1956

S.R.O. 2787.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the order of Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945 dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the films specified in column 2 of the schedule hereto annexed, in all their language versions to be of the description specified against each in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the producer	Source of supply	Whether scientific film or film intended for educational purposes or film dealing with news and current events or a documentary film.
1.	Indian News Review No. 420	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.
2.	Indian News Review No. 421	do.	do.	Film dealing with news and current events.
3.	With your own hands.	do.	do.	Documentary film.

[No. 14/2/56-FD.App.109.]

S.R.O. 2788.—In pursuance of clause 2 of the directions issued under the provision of each of the enactments specified in the First Schedule to the order of Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945 dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the film specified in column 2 of the schedule hereto annexed, in all its language versions to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the producer	Source of supply	Whether scientific film or film intended for educational purposes or film dealing with news and current events or a documentary film.
1.	Indian News Review No. 422	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.

[No. 14/2/56-FD.App. 110.]

B. S. DASARATHY, Dy. Secy.

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

New Delhi, the 15th November 1956

S.R.O. 2789.—In exercise of the powers conferred by Section 28 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) the Central Government hereby makes the following amendments in the Forward Contracts (Regulation)

Rules, 1954, published with the notification of the Government of India in the Ministry of Commerce and Industry No S.R.O. 2230 dated the 8th July, 1954 namely:—

In the said rules—

1. In rule 5, for the words "six copies" the words "three copies" shall be substituted.
2. In rule 7, in sub-rule (2), the words "and the area or areas in which" shall be omitted.
3. For rule 10, the following rule shall be substituted namely:—

"**10. Submission of periodical returns:**

Every recognised association shall send to the Forward Markets Commission weekly returns relating to its affairs and the affairs of its members, in such Form and in such manner as may be specified in this behalf by the Forward Markets Commission."

4. In paragraph 1 of Form 'A', the words and brackets "in..... (name of area or areas)" shall be omitted.
5. In paragraph 1 of Form B the words and brackets "in..... (name of area or areas)" shall be omitted and the following shall be inserted as paragraph 2, namely:—

"2. The recognition hereby granted is subject to the condition that the said association shall comply with such directions as may from time to time be given by the Forward Markets Commission."

6. Form D shall be omitted.

[F. No.39-Exp(6)/56.]

T. S. KUNCHITHAPATHAM, Under Secy.

New Delhi, the 17th November 1956

S.R.O. 2790.—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby directs that the following further amendment shall be made in the Notification of the Government of India in the late Ministry of Commerce No. 67-CW (25A)/48, dated the 26th March, 1949, namely:—

In the said Notification, in paragraph 6, for item (v) the following shall be substituted, namely:—

"(v) Hand printed cotton bed spreads and hand printed towellings and towels."

[No. 46(34)-C.T.(A)/52-35.]

V. V. NENE, Under Secy.

(TEA CONTROL)

New Delhi, the 20th November 1956

S.R.O. 2791.—In exercise of the powers conferred by section 49 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following amendments in the Tea Rules, 1954, the same having been previously published as required by sub-section (1) of the said section, namely:—

For rule 30 of the said rules, the following rules shall be substituted, namely:—

"30. *Planting of Tea.*—(1) Any person desirous of planting tea on land not planted with tea shall apply to the Board in writing within such date as may from time to time be notified by the Board in this behalf and shall furnish such survey maps and other particulars as may be required.

(2) Subject to the limitations set out in section 13 of the Act, the Board may grant or refuse the permission applied for or may grant it in part only or may call for further information from the applicant.

(3) Permission for extension of cultivation shall not be granted to any estate if the permissible acerage of that estate exceeds 500 acres, without the previous sanction of the Central Government.

30A. *Grant of permission by the Board.*—(1) The Board may inspect or cause to be inspected any land in respect of which an application for permission to plant tea has been made and the records relating thereto for the purpose of satisfying itself as to the accuracy of any survey map and generally for the purpose of enabling it to dispose of the application.

(2) The Board may grant, in respect of each five-year period subsequent to the 31st day of March 1955, permission to plant tea on any land not planted with tea in the following manner:—

(a) A tea estate whose permissible acreage at the commencement of each five-year period does not exceed 150 acres may be granted permission to extend its area by 40 per cent. of such permissible acreage:

Provided that the area for which such permission is granted to the tea estate shall not be less than 1 acre, and shall not exceed such acreage as will bring the total area of the tea estate to more than 188 acres.

(b) A tea estate whose permissible acreage at the commencement of each five-year period exceeds 150 acres but does not exceed 300 acres may be granted permission to extend its area by 25% of such permissible acreage:

Provided that the area for which such permission is granted to the tea estate shall not exceed such acreage as will bring the total area of the tea estate to more than 330 acres.

(c) A tea estate whole permissible acreage at the commencement of ach five-year period exceeds three hundred acres but does not exceed 500 acres may be granted permission to extend its area by 10% of such permissible acreage:

(d) Notwithstanding anything contained in clauses (a), (b) and (c), the acreage for which permission is granted to a tea estate to extend its tea area shall not exceed the acreage for which permission has been applied for by that tea estate.

Explanation.—In this rule "permissible acreage at the commencement of each five-year period" means the area of any land which could have been planted with tea at the commencement of each such period under the law then in force.

(3) (a) The Board may also grant permission to a person, not being the owner of a tea estate and not having large interest, directly or otherwise, in the management and ownership of a tea estate to plant tea on land not planted with tea, provided that the person proves to the satisfaction of the Board that—

(i) he owns the land in respect of which permission to plant tea is applied for;

(ii) he is able to finance the undertaking, including the erection of a factory where necessary; and

(iii) the land is suitable for tea plantation as regards the nature of the soil and climatic conditions.

(b) The area of land in respect of which permission may be granted shall not exceed in any one case 150 acres where the applicant is an individual proprietor or a partnership and 300 acres where the applicant is a limited liability company.

(c) No permission shall be granted where in the opinion of the Board the area in respect of which permission has been applied for is, having regard to the circumstances of the case, too small for an economic plantation.

Explanation 1.—A company or firm the management or ownership of which is controlled by a person or persons already holding substantial interests in tea plantation shall be regarded as a person having large interest in the management or ownership of a tea estate.

Explanation 2.—A capital outlay of Rs. 1,000 per acre for plantation and Rs. 500 per acre for factory shall ordinarily be considered as the standard requirement of finance in respect of applications from 'newcomers' for areas exceeding 10 acres:

Provided that the applicant is able to show that he is in a position to command the necessary finance, permits shall be issued to the extent up to which finance can be commanded.

Applications from 'newcomers', who are genuine agriculturists, for an area not exceeding 10 acres shall, however, be exempted from the condition regarding production of evidence of financial ability.

(4) Every permit to plant tea shall specify the area of land in respect of which it has been granted and shall be in force for such period as may be specified by the Board in the permit:

Provided that any permit issued under these rules may be renewed from time to time as the Board thinks fit:

Provided further that notwithstanding anything contained in sub-rule (2), the Board may, if it thinks fit, cancel any permit issued to a tea estate, or any part of such permit remaining unutilised after a period of not less than three years from the date of issue and pool together all permits or parts thereof so cancelled under each of the acreage groups mentioned in clauses (a), (b) and (c) of sub-rule (2), and re-allot them to such tea estates in the respective acreage groups as had utilised in full the permits granted to them and had applied for further permits.

(5) No permit granted by the Board shall be transferable:

Provided that a permit granted to a tea estate may, with the previous permission of the Board, be transferred to another tea estate if both the estates are held under the same ownership.

(6) The owner of a tea estate to which permit is issued shall submit to the Tea Board, on the 31st March of each year, a return showing the acreage planted up to that date in pursuance of the permit, the reasons for non-utilisation of any acreage that may not have been planted, and the programme for planting tea for the next two years.

(7) The Indian Tea Licensing Committee (Tea New Planting) Rules, 1951 are hereby repealed but such repeal shall not affect the validity of any permit issued or any action taken under those rules."

[No. 32(12)Plant(A)/55.]

P. V. S. SARMA, Dy. Secy.

(Rubber Board)

New Delhi, the 20th November 1956

(RUBBER CONTROL)

S.R.O. 2792.—In exercise of the powers conferred by clause (a) of sub-section (4) of section 12 of the Rubber Act, 1947 (24 of 1947), the Rubber Board hereby fixes with effect from the 1st April 1957, the periods from the 1st April to the 30th September, and from the 1st October to the 31st March, of each financial year as the periods in respect of which assessment of the amount of duty of excise fixed under the notification of the Government of India in the late Ministry of Commerce and Industry No. S.R.O. 1664, dated the 1st August, 1955, shall be made.

KOTTAYAM;
The 26th Octover, 1956.

N. KRISHNA PILLAI,
Secretary.

[No. 20(5)Plant(B)/56.]

A. K. CHAKRAVARTI, Under Secy.

MINISTRY OF HEAVY INDUSTRIES

New Delhi, the 15th November 1956

ORDERS

S.R.O. 2793.—IDRA/5/Am(1).—In exercise of the powers conferred by section 5 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shrimati Maniben Kara, Vice-President, Hind Mazdoor Sabha (All-India), Servants of India Society's Home, Sandhurst Road, Bombay 4, to be a member of the Central Advisory Council of Industries and directs that the following amendment shall be made in the Order

of the Government of India in the Ministry of Heavy Industries No. S.R.O. 2534, dated the 1st November, 1956, namely:—

In the said Order, under the heading "To represent the interests of persons employed in industrial undertakings in scheduled industries", after entry No. 19 relating to Shri S. A. Dange, the following entry shall be inserted, namely:—

"19A. Shrimati Maniben Kara, Vice-President, Hind Mazdoor Sabha (All India), Servants of India Society's Home, Sandhurst Road, Bombay 4."

[No. 3(10)IA(GB)/56.]

New Delhi, the 16th November 1956

S.R.O. 2794.—In pursuance of rule 9 of the Development Councils (Procedural) Rules, 1952, made under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Abhijit Sen, Director, Sen-Raleigh Industries of India Ltd., Mercantile Buildings, Lall Bazar, Calcutta, as a substitute to take the place of Shri Sanjoy Sen, Technical Director, Sen-Raleigh Industries of India Ltd., Mercantile Buildings, Lall Bazar, Calcutta, a member of the Development Council for the scheduled industry engaged in the manufacture and production of bicycles, for the purpose of attending the meeting of the said Council to be held in New Delhi on the 19th November, 1956.

[5(20)IA(GB)/55.]

CORRIGENDUM

New Delhi, the 19th November 1956

S.R.O. 2795.—In the Ministry of Heavy Industries Order S.R.O. 2534, dated the 1st November 1956, published in the Gazette of India Extraordinary Part II—Section 3, dated the 1st November 1956:—

For the entry "Minister for Home Affairs and Heavy Industries—Chairman"

Substitute "Minister for Commerce and Consumer Industries and Heavy Industries—Chairman".

[No. 3(10) IA(GB)/56.]

R. N. KAPUR, Under Secy.

PRINTED IN INDIA BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1956